A TEST, Offered to the CONSIDERATION OF THE ELECTORS OF GREAT BRITAIN.

To which is added,
A Vindication of the Tory Members, as to the Clause of the Hanover Succession.

ALSO
A REPLY to the Vindication of the Tory Members.

LONDON
ATest, offer'd to the Consideration of the Electors of Great Britain.

ON Wednesday, the 27th of January, 1702. In the First Year of Her Majesty's Reign, the House of Commons pass'd a Bill, intitul'd, An Act for enlarging the Time for taking the Oath of Abjuration, and also for recapacitating and indemnifying such Persons as have not taken the same by the Time, and shall take the same by the time appointed; and the same Day sent it up to the Lords for their Concurrence.

On Tuesday the 9th of February following, the Lords return'd the said Bill with some Amendments, to which they desir'd the Commons Concurrence.

On Saturday the 13th of February, the House of Commons took into Consideration the Amendments made by the Lords; the most material of which, being a Clause for the further Security of the Protestant Succession in the Illustrious
House of Hanover, is here set down at length, and is as follows:

And for the further Security of Her Majesty's Person, and the Succession of the Crown in the Protestant Line, and for extinguishing the Hopes of the pretended Prince of Wales, and all other Pretenders, and their open and secret Abettors: Be it further Enacted by the Authority aforesaid, That if any Person or Persons, at any time after the First Day of March, 1702, shall endeavour to deprive or hinder any Person, who shall be the next in Succession to the Crown for the Time being, according to the Limitations in an Act, intitled, An Act declaring the Rights and Liberties of the Subject, and settling the Succession of the Crown; and according to one other Act, intitled, An Act for the further Limitation of the Crown, and better securing the Rights and Liberties of the Subject, from succeeding after the Decease of Her Majesty (whom God long preserve,) to the Imperial Crown of this Realm, and the Dominions and
and Territories thereunto belonging, according to the Limitation in the beforemention'd Acts; That is to say, such Issue of Her Majesty's Body, as shall from time to time be next in Succession to the Crown, if it shall please God Almighty to bless Her Majesty with Issue, and during the time Her Majesty shall have no Issue, the Princess Sophia, Electress and Dutchess Dowager of Hanover; and after the Decease of the said Princess Sophia, the next in Succession to the Crown for the Time being, according to the Limitation of the said Acts; and the same maliciously, advisedly and directly shall attempt by any Overt Act or Deed: Every such Offence shall be adjudg'd High Treason, and the Offender or Offenders therein, their Abettors, Procurers and Comforters, knowing the said Offence to be done, being thereof convicted or attainted, according to the Laws and Statutes of this Realm, shall be deemed and adjudged Traitors, and shall suffer Pains of Death, and all Losses and Forfeitures, as in Cases of High Treason.
The other Amendments were a Clause or Clauses to Enact the Abjuration Oath to be taken in Ireland, in the same Manner as in England; and to provide that no Person, who by Reason of his neglect of taking the Oath, had forfeited his Office, &c. to which any other Person had been legally prefer'd, should be restor'd to the same, by any thing contain'd in the Act, as sent up to the Lords.

After Debate, the Question being put for agreeing with the Lords in these Amendments, the House divided.

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<th>Yea's, for agreeing with the Lords</th>
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<td>The Right Honourable Lord Edward Ruffel.</td>
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<td>Sir Rushout Cullen, Bart.</td>
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Yea's for agreeing with the Lords.

Anthony Thompson, Esq.;
The Honourable Ruffel Roberts, Esq.;
Henry Vincent, Esq.;
The Honourable Francis Godolphin, Esq.;
James Craggs, Esq.;
Hugh Bofcawen, Esq.;
Thomas Stanwix, Esq.;
James Stanhope, Esq.;
William Cowper, Esq.;
Peter King, Esq.;
Thomas Bere, Esq.;
Robert Burridge, Esq.;
Sir William Phippard, Kt.
Henry Henly, Esq.;
Anthony Henley, Esq.;
Sir John Copley, Bart.
Sir Isaac Rebow, Kt.
Maynard Colchester, Esq.;
Richard Dodefwell, Esq.;
The Right Honourable Thomas Lord Coningsby.
George Sayer, Esq.;
The Hon. Charles Stanley, Esq.
Ambrose Pudley, Esq.;
John Chaplain, Esq.;
Sir William Ellis, Bart.
Richard Ellys, Esq.;
Sir Gilbert Heathcote, Kt.
John Morgan of Tredegar, Esq.;
Sir Charles Turner, Kt.
Robert Walpole, Esq.;
Sir Thomas Littleton, Bart.
The Hon. Sidney Wortley, alias Mountague.
The Honourable Charles Egerton, Esq.
The Hon. Thomas Wentworth, Esq.;
Sir Francis Blake, Kt.

No's against Agreeing with the Lords.

Sir Richard Vivian, Bart.
James Buller, Esq.;
William Cary, Esq.
The Right Honourable Henry Lord Hide.
William Pole, Esq.;
Francis Scobell, Esq.
Sir Henry Seymour, Bart.
Alexander Pendarves, Esq.
John Manley, Esq.
George Granville, Esq.
Henry Flemming Esq.
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John Tredenham, Esq.
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Sir Christopher Coryton, Bart.
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Christophers Mullgrave, Esq.
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Thomas Chaffin, Esq.
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George St. Loe, Esq.
Edward Nicholas, Esq.
Richard Fownes, Esq.
Sir Robert Eden, Bart.
Sir Henry Bellasyne, Kt.
Thomas Conyers, Esq.

Sir
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<td>Sir Justinian Isham, Bar.</td>
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<td>Francis Arundel, Esq.;</td>
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Yea's, for Agreeing with the Lords.

Sir Nicholas Pelham, Kt.
Nathaniel Gould, Esq.
Robert Eyre, Esq.
Sir John Hawles, Kt.
Sir James Ahf, Bart.
Thomas Jervoife, Esq.
Edward Ahf, Esq.
William Monton, Esq.
James Montague, Esq.
Charles Monpeffon, Esq.
William Welsh, Esq.
Thomas Wylde, Esq.
Charles Cocks, Esq.
John Rudge, Esq.
The Right Hon. William Lord Marquifs of Hartington
Sir William Robinfon.
Sir William St. Quintin
William Maifter, Esq.
Christopher Stockdale, Esq.
Sir William Hufiler, Kt.
Sir William Strickland Bart.
William Jeftop, Esq.
Sir Charles Hotham, Bart.
William Lownther, Esq.
John Pulteney, Esq.
Matthew Aylmer, Esq.
Philip Papillion, Esq.
Sir Henry Furnife, Kt.
Sir Arthur Owen, Bart.
Griffith Rice, Esq.

In all 118.

Tellers for the Yea's

Sir John Holland.
Sir Matthew Dudley.

No's, against agreeing with the Lords.

John James, Esq.
William Levinz, Esq.
Sir Robert Jenkilton, Bart.
William Bromley, Esq.
Thomas Rowney, Esq.
Francis Norreys, Esq.
The Hon. Charles North, Esq.
Richard Holford, Esq.
Roger Owin, Esq.
John Kynafton, Esq.
Richard Mytton, Esq.
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Sir Thomas Wroth, Bart.
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George Pit, Esq.
Henry Holmes, Esq.
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Francis Gwyn, Esq.
Edward Bagot, Esq.
Jofeph Girdler Serjeant at Law
Sir Robert Davers, Kt.
Morgan Randyl, Esq.
Thomas Gery, Esq.
Henry St. John Esq.
Robert Byerly, Esq.
The Right Honourable Lord Vifcount Bulkley.
The Right Honourable Thomas Mansel of Morgan, Esq.

In all 117.

Tellers for the No's

Sir Willoughby Hickman, Kt.
Richard Crawley, Esq.

B Note,
Note, That the Lord Wharton, now Earl of Wharton, and Lord Lieutenant of Ireland, was the Person who propos'd in the House of Lords the Clause for the further Security of the Protestant Succession, and the other Amendments above mention'd.

To this happy Majority, tho' but of one Vote, we owe so Excellent a Law, so great a strengthening to the Protestant Succession in the Illustrious House of Hanover; upon the supporting of which, our Religion and Liberties, and all that's dear to any true British Protestant, does entirely depend.

This seeming to be a very Home Thrust, the New Ministry could not but think it necessary to give an Answer to the heinous Charge; and therefore the following Account of that Matter was Publish'd by Authority in the London Gazette of the 30th.
A Vindication of the Tory Members, as to the Clause of the Hanover Succession.

Whereas Two Printed Papers, one entitled, The Test, offer'd to the Consideration of the Electors of Great Britain: And the other entitl'd, A List of the Honourable House of Commons that Voted For and Against the Clause for the Hanover Succession in the Year 1702; are lately dispers'd Abroad, wherein are mention'd Amendments made by the Lords to the Bill, entitl'd, An Act for Enlarging the time for taking the Oaths of Abjuration, and also for Recapacitating and Indemnifying such Persons as have not taken the same by the Time appointed: And that the House of Commons the 13th of February, 1702, took those Amendments in Consideration.

And whereas after setting forth Verbatim the Cause following, viz.

And for the further Security of Her Majesty's Person, and the Succession of the Crown
Crown in the Protestant Line, and for extinguishing the Hopes of the Pretended Prince of Wales, and all other Pretenders, and their open and secret Abettors: Be it further Enacted by the Authority aforesaid, That if any Person or Persons, at any time after the First Day of March, 1702, shall endeavour to deprive or hinder any Person, who shall be the next in Succession to the Crown for the time being, according to the Limitations in an Act, Intitled, An Act declaring the Rights and Liberties of the Subject, and settling the Succession of the Crown; and according to one other Act, intitled, An Act for the further Limitation of the Crown, and better securing the Rights and Liberties of the Subject, from succeeding after the Decease of Her Majesty (whom God long preserve) to the Imperial Crown of this Realm, and the Dominions and Territories thereunto belonging, according to the Limitation in the beforemention'd Acts: That is to say, such Issue of Her Majesty's Body, as shall from time to time be next in Succession to the Crown, if it shall
shall please God Almighty to bless Her Majesty with Issue, and during the time Her Majesty shall have no Issue, the Princess Sophia, Electress and Duchess Dowager of Hanover; and after the Decease of the said Princess Sophia, the next in Succession to the Crown for the time being, according to the Limitation of the said Acts; and the same maliciously, advisedly and directly shall attempt by any Overt Act or Deed: Every such Offence shall be adjudged High Treason, and the Offender or Offenders therein, their Abettors, Procurers and Comforters, knowing the said Offence to be done, being thereof convicted or attainted, according to the Laws and Statutes of this Realm, shall be deemed and adjudged Traitors, and shall suffer Pains of Death, and all Losses and Forfeitures, as in Cases of High Treason.

And also after setting forth the Substance of other Clauses (other of the said Amendments) it is said Printed Papers, thus, After Debate the Question being put for Agreeing with the Lords in these
these Amendments, it is said, to this happy Majority, tho' but of one Vote, we owe so excellent a Law, so great a Strengthening to the Protestant Succession in the Illustrious House of Hanover, upon the Supporting of which our Religion and Liberties, and all that's Dear to any British Protestant, does entirely depend; now (I being requir'd to certify the Truth of the Fact, as it appears by the Journal of the House of Commons) do humbly certify as followeth, viz.

That it does appear by the Journal of the House of Commons, and the Session of Parliament begun in October, 1702, as also by the Original Minute-Books thereof, that the said Clause, set forth at large as aforesaid, (and which was mark'd B) was agreed to by the House of Commons without any Division thereupon; and that the Division that was in the House upon the 13th Day of February (upon which the Numbers of YEA's were 118, and NO's 117) was upon a Precedent Amendment, viz. Up-
on a Clause mark'd A, which is as followeth.

Provided always, That no Person or Persons, who by Reason of any such Mistake, Neglect, or Omission, hath or have left or forfeited any Office, Benefice, Place, Dignity, or Employment whatsoever, to which any other Person or Persons hath and have been preferred or promoted, shall be restor'd to such Office, Benefice, Place, Dignity, or Employment, any therein contain'd to the contrary notwithstanding.

And the other Amendments made by the Lords to the said Bill were agreed to by the House of Commons without any Division.

September 29th, 1710.

Paul Jodrell, Clerc. Dom' Com'.
A REPLY to the Vindication of the Tory Members.

THE first Reply that was made to this was Entitled, A Letter sent from a Gentleman in the Country; who was very well acquainted with what pass'd in Parliament concerning the Test, to this Effect:

I Don't wonder they are so angry at the Test, and their Catching at any Twig to turn it off; if they had Printed the whole Journal, the Fact would have appeared in its true Light; the Division was not actually upon that Clause, for there were Three Amendments, and that was the Second of the Three; and there Losing the Question upon the first, was the Reason of their not Dividing upon all the others, no Body ever Dividing upon three or four Questions in Parliament of the same Nature, when the first is lost, and the Test does not de-
pend to say, that the Division was actually upon that particular Clause, but upon the Amendments, which were all of the same Nature, tho' that was the most material, but the Debate ran upon them all, and particularly upon this Clause; upon which, Sir Christopher Musgrave said in the Debate, That he could never agree to make new Treasons by a particular Clause tackt to a Bill. In Answer to which, Sir J. J—l said, He wonder'd to hear that Gentleman make that Objection, who had been so warm but the Year before, just before the King's Death, to tack a Clause of the same Nature, in Favour of the Princess ANNE of Denmark, to the Abjuration-Bill.

But the following Letter being much more particular, in Answer to Jodrell's Account, as well as that Sign'd by Dr. Smallridge, and Mr. Cross, call'd, A Detection of Falshood, &c. of less Authority than the other, it's thought proper to insert it here in totidem Verbis.

C
Another more ample Reply.

SIR,

I have seen a Paper that was lately published, which is sign'd by George Smallridge, D. D. and Tho. Crosse, called, *A Detection of a Falshood endeavour'd to be impos'd on the Publick, in a Paper entitl'd, A Test, offer'd to the Consideration of the Electors of Great Britain.* I have also seen an Account of the same Matter Printed in the Gazette of the 30th of September, and sign'd by Mr. Jodrell; but having been myself in the House when that Matter was transacted, I beg Leave to acquaint you with some Particulars, by which it will plainly appear to you, that the first Account is Equivocating, and the second Imperfect.

When the House of Commons proceeded (according to Order) to take into Consideration three Amendments, made by the Lords to a Bill Intituled, *An Act for Enlarging the time for taking the Oath*
Oath of Abjuration &c. the Debate was chiefly held upon the subject matter of the second Amendment, and those Gentlemen that were against giving that Security to the House of Hanover, Principally insisted on the Danger of Multiplying Treasons, the great Inconveniences that might arise from making new Treasons, and other Arguments to that Effect, but tho' hardly any Notice was taken of the first Amendment, it was in Course to be first put, and now comes the great Art and Parliamentary Skill of those Persons that were against the second Amendment, they Resolv'd (according to the most usual Piece of Management in that House) to try their Numbers by dividing upon the first, but that was so little thought to be the Business of the Day, or indeed of the first Division itself, that Two or Three Staunch Old Members when out just before the Division, having some particular Views at that time which made it Inconvenient for them to declare against the Protestant Succession.
Succession, and those of their Friends who voted the Division, and whose Names are set forth in the Printed Text under the Title, NO's against agreeing with the Lords, may strictly and properly be said, in Parliamentary Language to have divided against the Amendments, the rather because few Instances can be given, that ever the weaker Side upon losing such a Previous Question divided again, upon any subsequent Clause that had been mixt in the same Debate.

But, I believe, there's no Body alive that does not think, If they had thrown out the first Amendment, they would immediately have Proceeding to throw out the second; and there were two Circumstances attending this Affair, which must needs put it out of all Doubt how it was understood both Abroad and Within the House, Mr. Dyer, the Common News-Writer, express'd himself thus in his Letter to Chester upon this Occasion, That the Prince of Wales had lost it in the House only by one Vote;
Or, That the House of Hanover had carry'd it but by one Vote: One of them I am sure it was; for which he was punished by the House, upon the Complaint of a Member for that City: And to shew what the Members thought of it, the only Gentleman that gave a Negative to the first Bill for Establishing the Protestant Succession, who was then of that House, tho' soon after call'd up to the other, saluted Sir M. Dudley, when this Division was over, in these Words, How fare you Mynheer Dudley? Upbraiding him by that Expression for having Voted for the Interest of the House of Hanover, which the late King and the Dutch had espoused. To which the other reply'd, Fort bien Monsieur Granillé, Alluding by that to his Vote, which he took to be for the French Interest, as well as to his French Name, which had been changed not many Years before from a plain English one, as it is still Printed in the History of the Earl of Clarendon.
If I should say therefore, That these Gentlemen were not for Throwing out the Second Amendment, it would, perhaps, be a Logical Truth, because they did not just divide upon that Clause, but it would be a Mortal Lye, and a Fallacy that I ought to be ashamed of, because every Step they took that Day, was in Order to throw it out, and they went the best way to work they could, so that after all the Clamour which has been rais'd against the Test beforemention'd, since that Paper does not affirm that the Division was upon this Clause, but that after Debate, the Question being put for agreeing with the Lords in these Amendments, the House divided as actually they did, it is left to every Impartial Person who knows any thing of Parliamentary Proceedings, to determine whether the Charge which is set forth against them in that Paper stands good or not, and whether they should upon this occasion, the same abhorrence of the Pretender, and the
the same Zeal for the House of Hanover, which has Flam'd out indeed in the late Addresses, but which (if one may use the Expression of a very Great Minister in another Nation) has rather amaz'd than convinc'd the World.