

manner is a Breach of Privilege so far from that the Instances he produces in the Reigns of Eliz^a & James 1st on this Subject are only where the members were actually restrained by an Order from the King the privi Council or a Court of Law and were not permitted to Attend the Parliament

L. H. J.
Liber No. 46

It is very true that when Iames the first endeavoured to stretch Prerogative the Commons to be even with him made one or two Extraordinary Declarations in point of their Privileges of Speech and of their Members But I do not know or ever heard of one single Instance where the House of Commons Either in the Reign of Iac 1st or at any other Time before 1641 or since 1660 took notice of any Person for reproving a Member in Conversation in any Point debated in the House for indeed to suppose the Contrary would be to suppose the Electors gave up their Liberty instead of preserving it by their Election of a Representation

p. 649

It is well known that in the Reign of Charles the 1st there were many Encroachments by the King on the Privileges of Parliament and afterwards more by the House in 1641 on the Liberties of the Subject under pretence of privileges: In the period I do agree you may find some Votes and Resolutions agreeable to your present Claim but which can never take Effect in this or any other Country of Liberty. I pass by the Usurpation of Oliver Cromwell with only this Remark, That both it and the Blood and Confusion which preceded were in a great measure the Consequences of the House of Commons intimidating the Nation by extending their privileges and Votes and Resolutions concerning them.

In the Reigns of Charles 2^d & James 2^d there is not one instance that I Know of any Person being censured by the House of Commons for what passed either in a Dispute or Quarrel where words were only used towards a Member concerning any Matter debated in the House; and surely if the Words Questioning or Place bore the signification you Concent for, many Instances must have hapened where the member might think himself so ill treated as to be ready and willing to revenge himself by the Authority of the House of Commons

We may now come to the happy Ara of our Constitution when the Statute for preserving the Rights and Liberties of the Subject was made. Hitherto sometimes the King inroached on the Privileges of the Commons and at other Times the House of Commons by their Votes usurped, under Pretence of their Privileges upon the Liberties of the people Therefore it was necessary to prevent further Doubt or Cavil to ascertain and declare what Privilege was in that Point of Freedom of Speech and Accordingly the Legislators made use of those words That the Freedom and Debates of Proceedings in Parliament ought not to be Impeached or Questioned in any Court or Place out of Parliament One would think the plainness of these