

178 RULES OF PROCEEDING.

it appears, upon the report of the numbers, that forty Members are not present ; and the House, or the Committee, are upon this immediately adjourned ; there can be no decision upon the question then under consideration, though upon the report of the numbers, the majority should be ten to one ; and therefore the declaration, in the instance of the 2d of April, 1740, “ that the question was carried,” is inserted by mistake, as indeed appears from the entry in the Journal of the next day, the 3d of April. In this case, therefore, the matter under consideration continues exactly in the state in which it was before the division, and, as appears from all the instances, must be resumed at this period on some future day*.

The Speaker, or Chairman of the Committee, is always considered as one of the forty ; as appears from the numbers on the divisions.

It is said, on the 20th of April, 1607, that no Bill was read this day, and the House arose at ten o'clock, “ being not above “ threescore †.”

* On the 5th of May, 1790, the House having adjourned, for want of 40 Members, as appeared on a division, on a question for bringing up an ingrossed clause, that had been offered on the third reading of a Bill, the Speaker, on the 11th of May, acquainted the House with this circumstance ; and the question was then put again, for bringing up the clause.

† This was at a time when the House of Commons consisted of much fewer Members than it does at present ; not only the forty-five Members from North Britain have been added, but the Members for Durham, Newark, Cockermouth, and several other places.—It appears from a list of the names of the Members

returned to serve in the first Parliament of James I. in 1603, which is printed in the fifth Volume of the Parliamentary History, page 11, that the House of Commons then consisted of 470 Members ; and the number of Lords summoned to that Parliament were 78.—In the Parliament elected in 1620 (a list of the Members of which is inserted in the printed collection of the Debates of that Parliament) the number of Members appears to be 478.—See in the *Appendix to this Volume, N^o 3*, a List of the names of the persons returned to serve in Parliament in the year 1656, for the several Counties and Corporations within the Commonwealth of *England, Scotland, and Ireland*, and the dominions