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Letter...

No.

March 13th 185

COLLECTION OF PURITAN AND
ENGLISH THEOLOGICAL LITERATURE



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The first and Second Part of A SEASONABLE, LEGAL, AND HISTORICALL VINDICATION, AND

Chronological COLLECTION of the Good, Old, Fundamentall Liberties, Franchises, Rights, Laws of all English Freemen their best Inheritance, Birthright, Security, against all Arbitrary Tyranny, and Ægyptian Burdens) and of their strenuous Defence in all former Ages; of late years most dangerously undermined, and almost totally subverted, under the specious Disguise of their Defence and future Establishment, upon a sure Basis, by their pretended, Greatest Propugnators.

WHEREIN IS,

Irrefragably evinced by Parliamentary Records, Proofs, Presidents, That we have such Fundamentall Liberties, Franchises, Rights, Laws. That to attempt or effect the Subversion of all or any of them; (or of our Fundamentall Government) by Fraud or Force, is High Treason. The principal of them summed-up in X. Propositions; The chief printed Treatises asserting them, specified: A Chronological History of our Ancestors, zeal, vigilancy, courage, prudence, in gaining, regaining, enlarging, defending, oft confirming and perpetuating them to Posterity, by Great Charters, Statutes, New Confirmations, Excommunications, Speciall Conservators, Consultations, Petitions, Declarations, Remonstrances, Oaths, Protestations, Vows, Leagues, Covenants, and likewise by their Arms, when necessitated, during all the Britons, Romans, Saxons, Danes, Normans and English Kings Reigns, till this present; collected for present and future publique benefit: with a Brief Touch of their late unparalleled Insurgements and Subversions in every particular: The Trial of all Malefactors by their Peers and Juries, justified, as the onely legal, best, most indifferent, and all other late arbitrary Judicatories, erected for their Triall, exploded, as destructive both to our Fundamentall Laws and Liberties.

Collected, recommended to the whole English Nation, as the best Legacy he can leave them,

By William Prynne of Swainswick, Esquire.

The Second Edition Corrected and much Enlarged.

Psal. 11. 3. If the Foundations be destroyed, what can the righteous do?

Psal. 82. 5. They know not, neither will they understand, they walk on in darknesse: all the Foundations of the earth are out of course.

London, Printed for the Author, and are to be sold by Edward Thomas in Green Arbour, 1655.



Errata.

IN the Epistle, letter C. page 8. l. 6. read effect, D. p. 2. l. 9. r. Tesmond, H. p. 5. l. 19. Censurers, I. p. 5. l. 13 of r. our K p. 7. l. 28. r. Heirs, L. p. 4. l. 20. r. exerceunt. In the Margin H. p. 3. l. 42. aliquem, I. p. 6. l. 27. pacti L. p. 8. l. 23.

In the Book p. 4. l. 25. r. as of, p. 13. l. 36. r. were resolved. p. 19. l. 14. r. Vote of p. 24. l. 16. of p. 26. l. 15. of and p. 29. l. 33. Statutes. p. 32. l. 26. r. E. 6. c. 5. p. 35. l. 6. to sedition p. 38. l. 19. r. parts.

Margin, p. 27. l. 13. ther r. other, p. 64. l. 3, 4, 5. r. 10. R. 2. cap. 1. 1 H. 5. c. 1. 28 H. 6. n. 51. l. 11. r. 4 E. 4.





To all truly Christian Free-men of *This Epistle should have been printed before the first part; but was omitted through haste.*
England, Patrons of Religion, Freedom, Lawes, Parliaments, who shall peruse this Treatise.

Christian READER,

IT hath been one of the most detestable Crimes, and highest Impeachments against the Antichristian (a) Popes of Rome, (a) See the several Epistles of Frederick the Emperor against Pope Gregory the 9, and Innocent the 4 recorded by Mat. Paris, p. 332. to 693. parsim. (b) See Extrac. de Majoritate & Obedientia: Augustinus Triumphus, Bellarminus, Becanus, and others, De Monarchia Romani Pontificis. Hospinian Hist. Jesuit. l. 3, & 4.
 that under a Saint-like Religious pretext of advancing the Church, Cause, Kingdom of Jesus Christ, they have for some hundred yeers by-past, usurped to themselves (as sole Monarchs of the World in the Right of Christ, whose Vicars they pretend themselves to be) both by Doctrinal Positions and Treasonable Practises, (b) an absolute Sovereign, Tyrannical Power over all Christian Emperours, Kings, Princes, of the World (who must derive and hold their Crowns from them alone, upon their good behaviours at their pleasures) not onely to Excommunicate, Censure, Judge, Depose, Murder, Destroy their sacred Persons; but likewise to dispose of their Crowns, Scepters, Kingdoms, and translate them to whom they please.
 In pursuance whereof, they have most tranterously, wickedly, seditiously, atheistically, presumed to absolve their Subjects from all their sacred Oaths, Homages, natural Allegiance, and due Obedience to them, instigated, encouraged, yea expressly, employed

enjoyed (under pain of interdiction, excommunication, and other censures) their own Subjects, (yea own sons sometimes) both by their Bulls and Agents, to revolt from, rebel, war against, depose, dethrone, murder, stab, poyson, destroy them by open force, or secret conspiracies: and stirred up one Christian King, Realm, State, to invade, infest, destroy, usurp upon another; onely to advance their own Antichristian Soveraignties, Usurpations, Ambition, Rapines, worldly Pompe and Ends: as you may read at leisure in the Statutes of 25 H.8.c.12. 28 H.8.c.10. 37 H.8.c.17. 13 Eliz.c.2. 23 Eliz.c.1. 35 Eliz.c.2. 3 Jacob.c.1, 2, 4, 5. 7 Jacob.c.6. The Emperour Frederick his Epistles against Pope Gregory the 9. and Innocent the 4. recorded in *Matthew Paris*, and

* *Henricus de*
* *Knighton, de E-*
* *ventibus Angli-*
* *æ, l. 2. c. 14, 15.*

* others, *Aventinus Annalium Boiorum*, Mr. *William Tyndal's Practice of Popish Prelates*, the second *Homily upon Witsunday*; the Homilies against disobedience, and wilful Rebellion; Bishop *Jewels* view of a seditious Bull; *John Bale* in his lives of the Roman Pontiffs; Doctor *Thomas Bilson* in his True difference between Christian subjection, and unchristian Rebellion; Doctor *John White* his Sermon at *Paul's Cross*, March 24. 1625. and Defence of the Way, c.6, 10. Doctor *Crakenthorpe* of the Popes temporal Monarchy; Bishop *Morton's* Protestant Apology; Doctor *Beard's* Theater of God's Judgements, l.1. c.27, 28. Doctor *Squire* of Antichrist; *John Bodin* his Commonwealth, l.1.c.9. The learned *Morney Lord du Plessy*, his Mystery of Iniquity, and History of the Papacy. The *General History of France*. *Grimston's Imperial History*. *Matthew Paris*, *Speed*, *Holinshed*, *Cambden*, and others, in the lives of King *John*, *Henry the 3.* Queen *Elizabeth*, and other of our Kings, with hundreds of printed Sermons on the 5 of November.

The principal Instruments the Popes employed of late yeers, in these their *unchristian Treasonable Designs*, have been pragmatical, furious, active Jesuites, whose Society was first erected by *Ignatius Loyola* (a Spaniard by Birth, but A(c) SOULDIER by Profession) and confirmed by Pope *Paul* the 3. Anno 1540, which Order consisting one-

(c) See *Maffei-*
us Veginus &
Petrus Ribade-
nierain vita
Ignatii Loyolæ.
Hylins Micro-
cosme, p. 179.

ly of ten persons at first, and confined onely to sixty by this Pope, hath so monstrously increased by the Popes and Spaniards favours and assistance (whose chief Janizaries, Factors, Intelligencers they are) that in the year 1626. (d) they caused the picture of Ignatius their Founder to be cut in Brass, with a goodly Olive Tree growing (like Jesses root) out of his side, spreading its branches into all kingdoms and Provinces of the World, where the Jesuites have any Colledges and Seminaries, with the name of the Province at the foot of the branch, which hath as many leaves as they have Colledges and Residencies in that Province; in which leaves, are the names of the Towns and Villages where these Colledges are situated: Round about the Tree are the Pictures of all the illustrious Persons of their Order; and in Ignatius his right hand, there is a Paper, wherein these words are engraven, *Ego sicut Oliva fructifera in domo Dei;* taken out of Ps. 52. 8. which pourtraictures they then printed and published to the world: wherein they set forth the number of their Colledges and Seminaries to be no less then 777. (increased to 155 more, by the year 1640.) in all 932. as they published in like Pictures & Pageants printed at Antwerp, 1640. Besides sundry New Colledges and Seminaries erected since.

In these Colledges and Seminaries of theirs, they had then (as they print) 15591 Fellows of their Society of Jesus, besides the Novices, Scholars, and Lay-brethren of their Order, amounting to neer ten times that number. So infinitely did this evil weed grow and spread it self, within one hundred years after its first planting. And which is most observable, of these Colledges and Seminaries they reckoned then no less then 15 (secret ones) * IN PROVINCIA ANGLICANA, in the Province of ENGLAND, where were 267 SOCII or Fellows of that Society: besides 4 COLLEDGES OF ENGLISH JESUITES ELSEWHERE. In IRELAND and elsewhere 8 Colledges of IRISH JESUITES: and in SCOTLAND and otherwhere 2 Residencies of SCOTTISH JESUITES.

(d) See Lewis Owen his Jesuites Looking-glass, printed London 1629. the Epistle to the Reader, and p. 48 to 58. Jubilaeum, five speculum Jesuiticum, printed 1644. p. 307 to 213. Hospinian Hist. Jesuitica, l. 2.

* Speculum Jesuiticum, p. 210. See Rones Master-piece & Canterburies Doom, p. 435, &c. Hidden-work of Dark-ness. 88, 144.

What the chief employments of Ignatius and his nume-

rous swarms of Disciples are in the World, his own Society at the time of his Canonization for a Romish Saint, sufficiently discovered in their painted Pageants, then shewed to the people, (e) wherein they pourtraiued this new Saint holding the whole world in his hand, and fire streaming out forth of his heart (rather to set the whole world on fire by Combustions, Wars, Treasons, Powder-plots, Schismes new State, and old Church-Herefies, then to enlighten it) with this Motio; VENI IGNEM MITTFRE: I came to send fire

(e) *Mercurio Ie-*
juite, tom. 1. p.
67. *Speculum*
Jesuiticum p.
156.

(f) See *Lewis*
Owen his run-
ning Register,
& his Jesuited
Looking glass.
The Anatomy of
rum, &c. An. 1641.
c. 7, 8, 24.
the English
Nunnery at
Lisbone.

(g) *De Monar-*
chia Hispanica,
p. 146, 147,
148, 149, 204,
234, 235, 236,
185, 186.
(h) See *Thomas*
campanella de
Monarchia His-
panica. Watsons
quodlibets, Col-
oni Posthuma,
p. 91. 107.
Cardinal de Os-
seis Letters. Ar-
cana Imperii
Hispanici
Delph. 1628.
Advice a tous
les Estat's de
Europe, touches
les maximas
Fundamentales
de Government
& *disciennes*
Espagnols, Pa-
ris, 1625.

into the World; which the University of Cracow in Poland objected (amongst other Articles) against them, Anno 1622. and *Alphonfus de Vargas* more largely insisterh on in his *Relatio, de Stratagematis & Sophismatis Politicis Jesuita-*

Their number being so infinite, and the (f) Pope and Spaniard too, having long since (by (g) *Campanella's* advice) erected many Colledges in Rome, Italy, Spain, the Netherlands, and elsewhere, for English, Scottish, Irish Jesuites (as well as for such secular Priests, Friers, Nuns) of purpose to promote their designs against the Protestant Princes, Realms, Churches, Parliaments of England, Scotland, Ireland, &c. (h) *UNIVERSAL MONARCHY* over them, by Fraud, Policy, Treason, intestine Divisions, and Wars, being unable to effect it by their own Power; no doubt of late yeers many hundreds, if not thousands, of this Society, have crept into England, Scotland and Ireland, lurking under several disguises; yea, an whole Colledge of them late weekly in counsel, in or neer Westminster, some few yeers since, under Conne the Popes Nuntio, on purpose to embroyle England and Scotland in bloody civil wars, therby to endanger, shake, subvert these Realms, and destroy the late King (as you may read at large in my *Romes Master-piece*, published by the Commons special Order, An. 1643.) who occasioned, excited, fomented, the first and second intended (but happily prevented) wars between England and Scotland, and after that, the unhappy Differences, Wars, between the King, Parliament, and our three Protestant Kingdoms, to bring them to utter de-

solation, and extirpate our reformed Religion.

The Kings Forces (in which many of them were Souldiers) after some yeers wars being defeated, thereupon their rather *Ignatius* being a SOULDIER, and they his Military sons, not a few of them (i) secretly insinuated themselves as Souldiers, into the Parliaments Army and Forces, (as they had formerly done into (k) the Kings) where they so cunningly acted their parts, as extraordinary illuminates, gifted brethren, and grand States-men, that they soon leavened many of the Officers, Troopers and common Souldiers, with their dangerous Jesuitical State-politicks, and (l) Practises, put them upon sundry strange designs, to new-mould the old Monarchical Government, Parliaments, Church, Ministers, Laws of England; erecting a New General Council of Army-Officers and Agitators for that purpose; acting more like a Parliament and Supream Dictators, then Souldiers: And at last instigated the Army by open force (against their Commissions, Duries, Oaths, Protestations and Solemn League & Covenant) to Impeach, imprison, seclude, first eleven Commoners; then some six or seven Lords; after that to secure, seclude the Majority of the Commons House, suppress the whole House of Lords, destroy the King, Parliament, Government, Priviledges, Liberties of the Kingdom & Nation, for whose defence they were first raised, which by no other adverse power they could effect. This produced new bloody divisions, animosities, wars, in and between our three Protestant Realms and Nations; & after with our Protestant Allies of the Netherlands, (*Campanella's expresse old projected Plots to subject us both to the Popes and Spaniards Monarchies, effected by the Spaniards Gold and Agents) with sundry heavy Monthly Taxes, Excises, Oppressions, Sales of the Churches, Crowns, and of many Nobles and Gentlemens Lands and Estates, to their undoing, our whole Nations impoverishing, and discontent, an infinite profuse expence of Treasure, of Protestant blood both by Land and Sea, decay of Trade, with other sad effects in all our three Kingdoms; yea, sundry successive New changes of our publick Government, made by the Army-Officers, (who

(i) See my Speech in Parliament, p. 107, 109. and the History of Independence.

(k) Exalt Collection, p. 651, 652, 662, 666, 813, 814, 816, 826, 827, 832, 902, 904, 10920. A Collection of Ordinances, p. 267, 313, 354, 424.

(l) See Putney Projects, the History of Independence, and Armies Declarations, Papers, Proposals.

printed together, London, 1647.

*De Monarchia Hisp. c. 25, 27.

are still ringing the changes) according to *Campanela's and Parsons Platforms*. So that if *Fire* may be certainly discerned by the *Smoke*; or the *Tree* commonly known by its *Fruit*, as the *Truth* it self resolves, *Matth. 12. 33.* we may truly cry out to all our Rulers, as the *Jews* did once to the Rulers of *Thessalonica*, in another case, *Act. 17. 6.* THOSE (Jesuites) WHO HAVE TURNED THE WORLD UPSIDE DOWN, ARE COME HITHER ALSO; and have turned our *Kingdoms, Kings, Peers, Monarchy, Parliaments, Government, Laws, Liberties, (yea, our very Church and Religion too, in a great measure)* UPSIDE DOWNE, even by those very Persons, who were purposely raised, commissiond, waged, engaged by *Protestations, Covenanes, Vows, Oathes, Laws, Allegiance and Duty*, to protect them from these *Jesuitical Innovations and Subversions*.

And those *Jesuites, Spanish Romish Agents*, who have so far seduced, so deeply engaged them, contrary to all these *Obligations*, and to their own former printed *Engagements, Remonstrances, Representations, Proposals, Desires, and RESOLUTIONS*, for setting this Nation in its just *Rights*, the *Parliament* in their just *Priviledges*, and the *Subjects* in their *Liberties and Freedoms*; published to all the *World*, in the name of *Sir Thomas Fairfax*, THE ARMY, AND THE GENERAL COUNCEL OF THE ARMY, in one *Volume*. *London, 1647.* (which they may do well to peruse) yea, against the *Votes, Intreaties, Desires, Advices*, of both *Houses of Parliament*, the *Generality of the good Ministers*, people of the three whole *Kingdoms*, and their wisest, best affected *Protestant Friends*, who commissioned, raised, paid, assisted them for far other ends. O whether may they, will they not (in all humane probability) rashly, blindly, furiously henceforth lead, drive, precipitate them, to our whole three *Kingdoms, Churches, Parliaments, Laws, Liberties total, final desolation*, and the *Armies* too in conclusion, beyond all hopes of prevention, unless God himself shall miraculously change their *Hearts, Councils*, and reclaim them from their

their late destructive, heady violent courses : or put an hook into their Noses , to turn them back by the way by which they came : or, set a timely period to their usurped Armed power and extravagant late proceedings, of such a desperate unparallel'd, unprotestant strange Nature , as none but the very worst of Ignatius his Disciples and Engineers durst set on foot , or still drive on amongst us Protestants. Which I earnestly beseech , adjure , and conjure them now most seriously to lay to heart, before it be over-late.

Those who will take the pains to peruse all or any of these several printed Books (most of them very well worth their reading) written against the Jesuites and their Practises, as well by Papists as Protestants , as namely , *Fides Iesu & Iesuitarum*, printed 1573. *Doctrina Iesuitica principia capita*, Delph. 1589. *Aphorismi Doctrina Iesuitica*. 1608. *Cambitonius*, De Studiis Iesuitarum abstrusioribus. Anno 1608. *Iacobus Thuannus*, Passages of the Jesuites. Hist. l. 69, 79, 83, 94, 95, 96, 108, 110, 114, 116, 119, 121, 124, 126, 129, 131, 132, 134, 136, 137, 138. *Emanuel Meteranus* his Passages of them. Belgica Hist. l. 9, 12, 17, 18, 19, 21, 23, 26, to 34. *Willielmus Bandartius*, Continuatio Meterani, l. 37, 38, 39, 40. *Donatus Wesagus*, *Fides Iesu & Iesuitarum*, 1610. *Characteres Iesuitica*, in several Tomes. *Elias Hufenmullerus*, *Historia Iesuitici Ordinis*, Anno 1605. *Speculum sive Theoria Doctrina Iesuitica, necnon Praxis Iesuitarum*, 1608. *Pasquier* his Jesuite displayed. *Petrus de Wangel*, *Physiognomia Iesuitica*, 1610. *Christopherus Pelargus*, his *Novus Iesuitismus*. *Franciscus de Verone*, his *Iesuitismus Sicarius*, 1611. *Narratio de proditi-one Iesuitarum in Magna Brit. Regem*, 1607. *Consilium de Iesuitis Regno Polonia ejiciendis*. The Acts of the States of Rhetia, Anno 1561, & 1612. for banishing the Jesuites wholly out of their Territories, NE STATUS POLITICUS TURBARETUR, &c. mentioned by *Fortunatus Sprecherus*, *Palladis Rhetica*, l. 6. p. 251, 273. *Melchior Valcius*, his *Furia Gretzero*, &c. remissa, 1611. *Censura Iesuitarum*, *Articuli Iesuitarum, cum communefactione illis opposita*

sta, Anti-Jesuites, au Roy par. 1611. *Varia Doctorum Theologorum Theses adversus quædam Jesuiticæ Dogmata.* The Remonstrance of the Parliament of Paris to Henry the Great against the re-establishment of the Jesuites; And their Censure of Mariana his book, to be publickly burnt, printed in French, 1610. recited in the General History of France, in Lewis 13. his life, & Peter Matthew, l. 6. par. 3. *Historia Franciæ. Varia Facultatis Thologia & Curia Parisiensis, quam aliorum Opuscula, Decreta & Censura contra Jesuitas, Paris 1612.* Conradus Deckerus, *De proprietatibus Jesuitarum, 1611.* *Quærelarum inclyti Regni Hungariæ adversus corruptelas Jesuiticas defensio.* Lucas Oslander, his writing about the Jesuites bloody Plot, *Han. 1614.* *Jesuitarum per unitas Belgii Provincias Negotiatio, Anno 1616.* Radulphus * Hospinianus, *Historia Jesuitica, 1619.* Bogermannus his *Catechismus Jesuiticus.* Lodovicus Lucini, *Historia Jesuitica, Basil. 1627.* *Arcana Imperii Hispanici, 1628.* *Mercurie Jesuite, in several Tomes, Geneve 1626,* *De Conscientia Jesuitarum, tractat.* *Censura sacre Theologia Parisiensis, in librum qui inscribitur, Antonii Santarelli societatis Iesu, de Hæresi, Schismate & Apostasia, &c. Paris, 1626.* *Anti-Cotton; Ioannes Henricius, Deliberatio de compescendo perpetuo crudeli Conatu Jesuitarum, Fran. 1633.* *A Proclamation of the States of the united Provinces, Anno 1612.* And another Proclamation of theirs: with two other Proclamations of the Protestant States of the Marquesate of Moravia, for the banishing of the Jesuites, London 1629. *Alfonsi de Vargas Toletani, Relatio ad Reges & Principes Christianos, De Stratagematis & Sophismatis Politicis Societatis Iesu, ad Monarchiam Orbis terrarum sibi conficiendam: in qua Jesuitarum erga Reges & Populos optimè de se meritos infidelitas, erga q. ipsum Pontificem perfidia, contumacia, & IN FIDEI REBUS NOVANDI LIBIDO, illustribus documentis comprobatur, Anno 1641.* *Jubilæum, sive Speculum Jesuiticum, exhibens PRÆCIPUA JESUITARUM SCELERA, MOLITIONES, INNOVATIONES, FRAUDES, IMPOSTURAS, ET MENDACIA, CONTRA STATUM EC-CLESI-*

* An Excellent
Discovery of
their detestable,
Treasonable
Doctrines and
Præfises.

CLESIASTICUM POLITICUMQUE, in & extra EUROPEUM ORBEM; *primo hoc centenario, confirmati illius Ordinis INSTITUTA ET PERPETRATA: ex variis Historiis, imprimis vero Pontificiis collecta, Anno 1644.*

(a piece worth perusing) Or else will but cast their eyes upon our own forecited Statutes, and the * Proclamations of

* Now out of date.

Queen Elizabeth, King James, and King Charles against Jesuites, and Seminary Priests. *A brief Discovery of Doctor Allen. Seditious Drifts, London 1588. Charles Paget (a Seminary Priest) his Answer to Dolman, concerning the succession of the English Crown, 1601. William Wasfon (a secular Priest) his Dedachordon or Quodlibets, printed 1602. now very well worthy all Protestants reading.*

A Letter of A.C. to his Dis-Jesuited Kinsman, concerning the Jesuites, London 1602. Romish Positions and Practises for Rebellion, London 1605. The Arraignment of Traytors, London 1605. John King Bishop of London, his Sermons on November 5. 1607, 1608. King James his

Conjuratio Sulphurea, Apologia pro Juramento fidelitatis: &c, Responso ad Epistolam Cardinalis Peronii. An Exact Discovery of the chief Mysteries of the Jesuitical iniquity: and, The Jesuites secret Consultations; both printed London 1619. William Crashaw his Jesuites Gospel, London 1621. William Feak of the Doctrine and Practice of the

Society of Jesus, London 1630. The many printed Sermons of Doctor John White, Bishop Lake, Bishop Andrews, Doctor Donne, Doctor Featly, Doctor Clerk, and others, preached on the fifth of November. Lewis Owen, his Running Register, London, 1620. His Un-

masking of all Popish Monkes and Jesuites, 1628. And his Jesuites Looking-Glass, London, 1629. John Gee, his Foot out of the Snare, &c. London, 1624. with the Jesuitical Plots discovered in my Romes Master-piece; and, Hidden works of darknes brought to publick Light, London 1645. shall see the Jesuites and their Se-

minaries charged with, convinced of, and condemned for these ensuing Seditious, Treasonable, Antimonarchical, Anarchical Positions and Practises; for which,

C

their

their Society hath by publick Acts and Proclamations been several times banished out of *Hungaria, Bohemia, Moravia, Poland, the Low Countries, Rhetia, France, Transilvania, Sweden, Denmark, the Palatinate, Venice, Ethiopia, Japan and Turkey*, as well as out of *England, Scotland and Ireland*, as most insufferable *Pests and Traytors*; in many of which they have yet gotten footing again.

1. That at least fifty several prime Authors of that infernal Society of Jesus, in several printed books (which you shall finde specified in Doctor John Whites Defence of the Way, c.6, 10. *Aphorismi Jesuitarum: Jubileum, or, Speculum Jesuiticum*, p. 187, 188. and the Appendix to my Fourth part of the Sovereign power of Parliaments, p. 187, 188.) have dogmatically maintained; *That the Pope hath absolute power, not onely to excommunicate, but judicially to suspend, mulct with temporal penalties, depose, dethrone, **PUT TO DEATH**, and destroy any Christian Emperours, Kings, Princes, Potentates, by open Sentence, War, Force, secret Conspiracies, or private assassinations, and to give away their Crowns and Dominions to whoever will invade them, by Treason or Rebellion, at the Popes command; and that in cases of Heresie, Schisme, Disobedience to, Rebellion against the Pope or See of Rome, Male-administration, refusal to defend the Pope or Church against her adversaries, Insufficiency to Govern, Negligence, Tyranny, Excesses, Abuses

* Hospinian.
Hist. Jesuit. l. 4:

(m) Quando in Government, Incurribility, Viciousness of Life, and (n)
corum malitia DECESSIT DE THE PUBLIC GOOD,
hoc exigat & DECESSIT DE THE CHURCH,
Reipub. vel Ecclesiæ NECES-
SITAS sic requirit. Speculum Jesuiticum,
p. 68, 169, 170.
Mercure Jesu-
ite, Part. I. p.
884, 885.
Alfonsi de Var-
gas Relatio. &c.
. 55.

SANCTARELLUS the Jesuite particularly defines, in his
Book De Hæresibus, Schismatibus, &c. printed in Rome it
self, Anno 1625. who affirms it to be, Multum equum
& Republica expediens, ut sit aliquis supremus Monarcha,
qui Regum hujusmodi excessus possit corrigere, & DE
IPSO INHIBERE IMPROBARIUM; sicut
POTERAT concessa fuit facultas IMPERIO PAC-
E ET ORDINARI, imo etiam, PACIS ORDI-

THIS, DICED PERSONS AND ALI-
KING CONCEIVED OF CECEPULUM.

(Whether the Erection, Title of, or Proceedings against
our beheaded King, in the late mis-named High Court of
Justice, had not their original from hence; and whe-
ther the Army-Officers derived not their very phrase, (n)

of bringing the King ED JUSICE, with their pre-
tended PCESSITY OF PUBLIC GOOD
AND SAFETY, for it, from these very Jesuites, or
their Agents in the Army; let themielves, the whole
Kingdom, and all Wisemen now consider.) Moreover,

some of the fifty Authors, (as Creswel, or Parsons the English
Jesuite, in his Philopater, Sect. 2. and *De Officio Principis
Christiani, chap. 5. affirm, That the whole School both of

(their) Divines and Lawyers, make it a Position certain and
undoubtedly to be believed, That if any Christian Prince what-
soever, shall manifestly turn from the Roman Catholick Reli-
gion, or desire, or seek to reclaim others from the same; or
but favour, or shew countenance to an Heretick (as they deem
all Protestants, and Dissenters from the See of Rome in any
punctilio, such) HE PRESENTLY FALLS

FROM, AND LOSES ALL PRINCELY POWER
& Dignity; & that By Vertue & Power OF THE LAW
IN HIS SELF, WHOSE DUTY AND OATH IS,

TO KEEP BEFORE ALL SEPTENTRE PRIN-
CIPALTYES AGAINST HIS BY THE SA-
VEDIAN PRINCE AND JUDGE. That thereby

his Subjects are absolved from ALL OATHES AND
BOND OF ALLEGIANCE TO HIM
AS ED THEIR LAWFUL PRINCE. Nay,

THAT THEY MAY AND OUGHT
(*PROVIDED THEY HAVE COMPE-
TENT POWER AND FORCE) TO

TAKE OUT SUCH A PRINCE FROM
BEARING RULE AND GOVERNANCE CHURCH-
AND, as an Apostate, an Heretick, a Back-slider, a Re-
volter from our Lord Jesus Christ, AND AN ENEMY

TO HIS OWN CHURCH AND COM-
MON.

(n) See their
Remonstrance
from St. Albans,
16 Nov. 1648.
and Decem. 7.
with other Pa-
pers.

* Attributed to
the Jesuite
Tresham.

* See Watsons
Qualibets, P.
295. &c.

MODERATELY; lest perhaps he might infect others, or by his example or command, turn them from the faith. And that the Kingdom of such an Heretick or Prince, is to be bestowed at the pleasure of the Pope, with whom the people upon pain of Damnation, are to take part, and fight against their **SOVERAIGN**. Out of which detestible and Treasonable Conclusions, most Treasons and Rebellions of late time have risen in the Christian World; and the first smoke of the Gunpowder-treason too, as John Speed observes in his History of Great Britain, p. 1250. Whereupon the whole *University of Paris censured them, An. 1625, and 1626. not onely as most pernicious, detestable, damnable, erroneous, and perturbing the publick Peace; but likewise, as Subversive of Kingdoms, States, and Republicks, seducing Subjects from their Obedience and subjection, and stirring them up to Wars, Factions, Seditions, & Principum parricidia, and the Murthers of their **KINGS**.

* Alphonst de Vargas Relatio, Sec. c. 55. Speculum Jesuiticum, p. 162, 163.

* Hospinian. Hist. Jesuitica, i. 3.

2. That the Jesuites have * frequently put these Treasonable, Seditious, Antimonarchical, Jesuitical, damnable Doctrines into practice, as well against some Popish, as against Protestant Kings, Queens, Princes, States: which they manifest,

(o) Hist. Gallica & Belgica, l. 1. p. 126. Speculum Jesuiticum p. 46.

1. By (o) their poisoning *Jone Albreta* Queen of Navarre, with a pair of deadly perfumed Gloves, onely for favouring and protecting the Protestants in France against their violence, Anno 1572.

Hospinian. Hist. Jesuitica, l. 3. f. 159. (p) See Speculum Jesuiticum and the General History of France in H. 3. Hospinian. Hist. Jesuitica, l. 3. f. 151, 152.

2. By their suborning and animating (p) *James Clement* a Dominican Frier, to stab King Henry the third of France in the belly with a poisoned Knife, whereof he presently died, Anno 1589. for which they promised this Traitor, a Saintship in heaven. Pope Sixtus the fifth himself commending this foul Fact in a long Oration to his Cardinals, as Insigne & memorabile facinus, non sine Dei Opt. Max. particulari providentia, & dispositione, ET SPIRITUS SANCTI SUGGESTIONE DESIGNATUM: facinusq; longe majus quam illud S. Judith, quae Holofernum e medio sustulit.

(q) Speculum Jesuiticum, p. 73.

3. By (q) *Cammolet* the Jesuites publick justification of this

this *Clement* in a Sermon at *Paris* Anno 1593. wherein he not only extolled him above all the Saints, for his Treason against, and murder of *Henry* the 3. but broke out likewise into this further Exclamation to the people: *We ought to have some Ehud, whether it be a Monk, or a Souldier, or a Varlet, or at least a Cow-herd. For it is necessary, that at least we should have some Ehud.* This one thing onely yet remains behinde: for then we shall compose all our Affairs very well, and at last bring them to a desired end. Whereupon, by the Jesuites instigation, the same year 1593. one *Peter Barriere*, undertook the assassination of King (*r*) *Henry* the 4 of *France*: which being prevented; and he executed, thereupon they suborned and enjoined one of their own Jesuitical Disciples, *John Castle*, a youth of 19 years old, to destroy the King: who on the 27 of *December* 1594. intending to stab him to the heart, missing his aim, wounded him onely in the cheek, and stroke out one of his teeth; for which Treasonable act he was justified, applauded, as a renowned Saint and Martyr, by the Jesuites, in a printed Book or two, published in commendation of this his undertaking. As namely, by *Bonarsci*, the Jesuite, in his *Amphitheatrum*, *Franciscus Verona Constantinus*, (a Jesuite) in his *Apologia pro Iohanne Castello, contra Edictum Parliamenti, & supplicium de eo ob Parricidium sumptum*, An. 1595. Where he thus writes of the attempt upon *Hen. 4.* *Whosoever diligently ponders, that Henry was excommunicated, an Heretick, relapsed, a profaner of holy things, a declared publick enemy, an oppressor of Religion; and (thereupon) a person secluded from all right to the Kingdom; and therefore a Tyrant, not a King; an Usurper, not a lawful Lord; he verily, unless he be mad, and destitute of humane sence, and love towards God, the Church, and his Country, cannot otherwise think or speak; but that the fact of Castle was generous, conjoyned with Vertue, and Heroical, to be compared with the greatest and most praise-worthy facts which the ancient Monuments of Sacred and Prophane Histories have recorded.* One thing onely may be disliked, namely; That *Castle* hath not utterly slain and taken him from the midst of us.

(r) See the General History of France in the life of Henry 4. and Lewis 13. *Speculum Jesuiticum*, P. 77, 80, 116, 235. *Hospinian. Hist. Jesuitica*, l. 3. p. 153; to 158.

In sum, He denies this Henry to be any King of France, by right or inheritance, because, (in his and the Jesuites Opinion onely, not in Truth) he was both an Heretick, and A TYRANT. Asserting, That it was lawful for Castle, or any other private man, TO DESENDER AN HERETICK OR TYRANT, much more then, him that was both.

And * John Guignardus a Jesuite, (Fellow of the Jesuites Colledge of Claremount) in his Papers then seised by, and reported to the Parliament of Paris, Anno 1595. not onely compared Henry the third and fourth to Nero and Herod, and justified Clements murder of the one, and Castles attempt upon the other, as most Heroical and praise-worthy Actions: but likewise added, That if we in the year 1572. on Saint Bartholmews day, (in the General Massacre of the French Protestants) had CUT OFF THE BASILICOP UELPE, (Henry King of Navarre) we had not fallen out of a Feavour, into that Plague, which now we finde. Sed quicquid delirant Reges pleruntur Achivi, SAPIENTIA PARCEP-
D. That King Henry should be but over-mildly dealt with, if he were thrust from the Crown of France, into a Monastery, and there had his crown shaven. That if he could not be deposed without a war, then a war was to be raised against him: but if a war could not be levied against him, the cause being dead, CLAMOR MORTUUM AD-
LATUM: he should then be privily murdered and taken out of the way. For which the Parliament of Paris adjudged and executed him for a Traytor. Yea, so desperately were the Jesuites after this, bent to destroy this King, that * Alexander Hay (a Scottish Jesuite of Claremount,) privy to Castles villany, used to say, That if King Henry the fourth should pass by their Colledge (the first there built for them) he would willingly cast himself out of his window headlong upon him, so as he might break the Kings neck, though thereby he brake his own. Yet was he punished but with perpetual Banishment. After which Jesuitical conspiracies detected and prevented, notwithstanding this King Henry (before these

* Speculum Jesuiticum, p. 80, 81. Hospinian. Hist. Jesuitica, l. 3. f. 156, 157.

* Hospinian. Hist. Jesu. l. 3. f. 157, 158.

these two attempts to murder him) had by their solicitations, renounced the Protestant Religion, professed himself a zealous Romanist, recalled the Jesuites formerly banished for the murder of Henry the third, against his Parliaments and Counsels advice, reversed all the decrees of Parliament against them, razed the publick Pillar set up in Paris, as a lasting Monument of their Treasons and Conspiracies; built them a magnificent Colledge in Paris, indowed them with a very large Revenue; entertained Pere Cotten (one of their Society) for his Confessor (who revealed all his Secrets to the King of Spain;) bequeathed a large Legacy of Plate and Lands to their Society by his will, and was extraordinary bountiful and favourable towards them; yet these bloody ingrateful Villains, animated that desperate wretch, * Ravilliac, to stab him to death in the open street in Paris, Anno 1610. Albigni the Jesuite being privy to this murder, before it was perpetrated. Yea, Francis de Verona in his Apology for John Castle, p. 258. thus predicted his second mortal stab, in these words, *Though this Prince of Orange escaped the first blow, given him in his cheek, yet the next hit, whereof this was a presage; as the blow given by Castle SHALL BE THE FORE-RUNNER OF ANOTHER BLOW.* Such implacable Regicides are the Jesuites.

4. By their suborning, instigating sundry bloody instruments one after another, to murder (f) William Prince of Orange, prevented in their attempts by God's providence, till at last they procured one Balthasar Gerard to shoot him to death with a Pistol, charged with three Bullets, An. 1584. the Jesuites promising him no less then *HEAVEN* if self, *AND A CANNONIZACION* *AND OF THE SAINTS AND MARTYRS*, for this bloody Treason, as they did to James Clement before, for murdering the French King. And it is very remarkable, That after this murder of his, * Thomas * De Morarch. Campanella (a Jesuited Italian Frier) prescribed this as a principal means to the King of Spain of reducing the Netherlands under his Monarchy again, to sow emulation

* See the General History of France in Hen. 4. and Lewis 13. Dr. John Whites Defence of the same, p. 10. p. 46.

(f) See Grimons History of the Netherlands p. 764. Thuanus l. 79. p. 186. Speculum Jesuiticum, p. 60. 61.

Hisp. c. 27. p. 258.

and discords amongst their Nobles, States, and to murder Prince Maurice his son and successor, which he expresseth in these direct termes. *Maxime opus est, ut Serpens seditionis, Comes Scilicet Mauritijs Interimatur; non vero per bellum diuturnum, copia illi danda est, magis magisque succrescendi:* which

* Chron. Belgie Tom. 1. p. 719. they * twice likewise attempted to affect; An. 1594, and Tom. 2. p. 97. 1598. No wonder that they so much endeavour by all

Meteranus l.

17. p. 575.

Hospinian.

Hist. Jesuitica,

l. 3. t. 205.

(t) Spiculum

Jesuiticum, p.

127.

5. By (t) their poisoning Stephen Borzkay Prince of Transylvania, for opposing their bloody persecution.

6. By their manifold bloody Plots and Attempts from

(v) See Speed time to time, to murder, depose, stab, poison, destroy our famous and Camden Protestant Queen Elizabeth, by open Insurrections, Rebellions, in her life. Bishop Carletons Invasions, Wars, raised against her both in England and Ireland; and by intestine clandestine Conjurations; from which remembrance of Gods ever-waking providence did preserve her. Amongst Gods Mercy, other Conspiracies, that of Patrick Cullen, an Irish Frier, London 1624. (hired by the Jesuites and their Agents to kill the Queen)

(x) Hospinian.

Hist. Jesuitica,

Speeds History,

p. 1181. Cam-

den, Stow, Ho-

linshed in the

Life of Queen

Elizabeth. Sp-

iculum Jesuiti-

cum, p. 73.

is observable. (x) Holt the Jesuite, (who perswaded him to undertake the murdering of her) told him, that it was not onely lawful by the Laws, but that he should merit Gods Favour, and Heaven by it; and thereupon gave him remission of all his sins, & the Eucharist, to encourage him in this Treason; the chief ground whereof (and of all their other Treasons against this Queen) was thus openly expressed by Jaquis Francis, for Cullens further encouragement; That the Realm of England, then was and would be so well settled, that unless Mistress Elizabeth (so he termed his Dread Sovereign, though but a base Landresson;) were suddenly taken away, All the Devils in Hell would not be able to prevail, to shake and overturn it. Which then it seems they * principally endeavoured, and oft-times since attempted, and have now at last effected, by those who conceit they demerit the Title of Saints (though not in a Romish Kalender) and no less then Heaven, for shaking, overturning, and making it No Kingdom.

* See Hist. Quodlibets.

7. By their (y) Conspiracy against King James, to deprive him of his Right to the Crown of England, imprison, or destroy his person: raise Rebellion, alter Religion, and subvert the State and Government; by vertue of Pope Clement the eighth his Bull directed to Henry Garnet, Superiour of the Iesuites in England: whereby he commanded all the Archpriests, Priests, Popish Clergy, Peers, Nobles and Catholicks of England, That after the death of Queen Elizabeth by the course of Nature, or otherwise, who-soever shall lay claim or title to the Crown of England, (though never so directly or neerly interessed by descent) should not be admitted unto the Throne, unless he would first tolerate the Romish Religion, and by his best endeavours promote the Catholick cause; unto which by his Solemn and Sacred Oath he should religiously subscribe, after the death of that miserable woman; (as he stilled Queen Elizabeth.) By vertue of which Bull, the Iesuites, after her decease, dissuaded the Romish-minded Subjettts, from yielding in any wise obedience to King James, as their Sovereign; and entred into a Treasonable Conspiracy with the Lord Cobham, Lord Gray, and others, against him, to imprison him for the ends aforesaid; or destroy him: pretending that King James was no King at all before his Coronation; and that therefore they might by force of Arms, lawfully surprise his person, and Prince Henry his Son, and imprison them in the Tower of London, or Dover-Castle, till they inforced them by duress, to grant a free toleration of their Catholick Religion, to remove some evil Counsellors from about them, and to grant them a free Pardon for this violence; or else they would put some further project in execution against them, to their destruction. But this Conspiracy being discovered, The Traytors were apprehended, arraigned, condemned, and Watson and Clerk (two Jesuited Priests who had drawn them into this Conspiracy, upon the aforesaid Pretext) with some others, executed as Traytors;

(z) all the Judges of England resolving, that King James being right Heir to the Crown by descent, was immediately upon the death of Queen Elizabeth, actually possessed of the Crown, and lawfull King of England, before any Proclamation or Co-

(y) See Sueds Hist. p. 1:42, 1242, 1243. John Stow, and How, 1 Jac.

(z.) Cook's Institutes, p. 7. and Calvin's Case 7: Reports, f. 10, 11. 1 Jac. c. 1.

ronation of him, which are but Ceremonies, (as was formerly adjudged in the case of * Queen Mary, and * Queed Iane, 1 Maria) there being no Interregnum by the Law of ENGLAND, as is adjudged, declared by Act of Parliament, 1 Jac.c.1. worthy serious perusal.

8. By their (a) horrid Gun-powder Treason Plot; contrived, fomented, by Garnet (Superiour of the English Iesuites) Gerard, Tensmod and other Iesuites; who by their Apostolical power, did not onely commend, but absolve from all sin the other Jesuited Popish Conspirators, and Faux The-souldier, who were their instruments to effect it. Yea, the Jesuitical Priests were so Atheistical, as that they usually concluded their Masses with Prayers, for the good success of this hellish Plot, which was, suddenly, with no less then 36 Barrells of Gunpowder, placed in a secret Vault under the House of Lords, to have blown up and destroyed at once, King James himself, the Queen, Prince, Lords Spirituall and Temporal, with the Commons assembled together in the Upper-House of Parliament, upon the 5 of November, Anno Dom. 1605. and then forcibly to have seised with armed men prepared for that purpose, the persons of our late beheaded King, then Duke of York, and of the Lady Elizabeth his Sister (if absent from the Parliament, and not there destroyed with the rest) that so there might be none of the Royal Line left to inherit the Crown of England, Scotland and Ireland; to the utter overthrow and subversion of the whole Royal Family, Parliament, State and Government of this Realm. Which unparalleled, inhumane, bloody Plot, being miraculously discovered, prevented, the very day before its execution, in perpetual detestation of it, and of the Jesuites and their traiterous Romish Religion, (which both contrived and approved it) the 5 day of November, by the Statute of 3 Jacobi, ch. 1. was enacted to be had in perpetual Remembrance, that all Ages to come, might thereon meet together publicly throughout the whole Nation, to render publick praises unto God, for preventing this infernal Jesuitical Design, and keep in memory this joyful Day of Deliv-
rance;

(a) See 3 Jas.
c. 1, 2, 4, 6.

Speeds History,
p. 1250, 101256.
The Arraign-
ment of Tray-
tors, with others.
Prayers for the
5 of November.
Hospinian. Hist.
Jesuistica 1.3.
f. 163, to 170.

rance ; for which end , special forms of publick Prayers and Thanksgivings were then appointed , and that Day ever since more or less annually observed , till this present . And it is worthy special observation , that had this Plot taken effect ,

(b) It was agreed by the Jesuites and Popish Conspirators before-hand , That the Imputation of this Treason

Should be cast upon the Puritans , to make them more odious : as now they father all the Powder-Plots of this kinde , which they have not onely laid , but fully accomplished of late yeers against the King , Prince , Royal Posterity , the Lords and Commons House , our old English Parliaments and Government , upon those Independents , and Anabaptistical Sword-men , (whom they now

repute and stile , * the most reformed PURITANS ,) who were

in truth , but their meer under-Instruments to effect

them ; When as they (c) originally laid the Plots ; as is

clear by Campanella's Book , De Monarchia Hisp. ch. 25.

and Cardinal Richelieu his Instructions at his death , to

the King of France . And it is very observable , that as

Courtney the Jesuite , Rector of the English Jesuites Colledge

at Rome did in the year 1641 . (when the name of Inde-

pendents , was scarce heard of in England) openly affirm to

some English Gentlemen , and a Reverend Minister (of late

in Cornwall) from whom I had this Relation , then and

there feasted by the English Jesuites in their Colledge ,

That now at last , after all their former Plots had miscarried ,

they had found out a sure way to subvert and ruine the Church

of England (which was most formidable to them of all others)

by the Independents ; who immediately after (by the

Jesuites clandestine assistance) infinitely encreased , sup-

planted the Presbyterians by degrees , got the whole power

of the Army , (and by it , of the Kingdom) into their

hands , & then subverted both the Presbyterian Govern-

ment and Church of England in a great measure , with the

Parliament , King and his Posterity ; as * Monsieur Mi-

litiere a Jesuited French-Papist observes . So some Indepen-

dent Ministers , Sectaries and Anabaptists , ever since 1648 .

have neglected the observation of the fifth of November ,

(b) Speeds Hist. p. 1243. The Arraignment of Traytors , and M. John Vicers History of the Gunpowder Treason.

* See Militaire his Victory of Truth , 1654. dedicated to the King of Great Brittain.

(c) See my Epistles to Jus Patronatus , and Speech in Parliament.

Nota.

* In his Victory of Truth , 1654. p. 15 , 18 , 24 , 25 , 26 , 27.

(as I am credibly informed) and refused to render publick thanks to God for the deliverance thereon, contrary to the *Act*, for this very reason, which some of them have rendered; That they would not mock God in publick by praising him for delivering the late King, Royal Posterity, and House of Lords from destruction then, by Jesuites and Papists, when as themselves have since destroyed and subverted them through Gods providence; and repute it a special mercy and deliverance to the Nation from Tyranny and Bondage, for

* upon which * which they have cause to bless the Lord: Performing that ground, many of for the Jesuites and Powder-Traytors, which themselves them have since could not effect. The Lord give them grace and hearts solemnized the to consider, how much they acted the Jesuites, and 30 of January, promoted their very worst Designs against us therein; what * infamy and scandal they have thereby instead of November 5. drawn upon all zealous Professors of our Protestant Religion, and * what will they do in the end thereof?
 * See Militiere
 his Victory of
 Truth, p. 4. to 50
 * Jer. 5. 31.

9. (To omit all other Forraign instances cited in *Speculum Iesuiticum*, p. 124, to 130. where you may peruse them at leisure) By (d) their poisoning King James himself in conclusion, as some of them have boasted.

(d) *Romes*
Master-piece,
 p. 8, 18, 19.

Romes Master-
piece, p. 8, 10 22.

10. By the Popes Nuntio's, and a Conclave of Jesuites Conspiracy at London, Anno 1640. * to poison our late King Charles himself, as they had poisoned his Father with a poisoned Indian Nut, kept by the Jesuites, and shewed often by Conne the Popes Nuntio to the Discoverer of that Plot; or else, to destroy him by the Scottish wars and troubles, (raised for that very end by the Jesuites,) in case he refused to grant them a universal liberty of exercising their Popish Religion throughout his Realms and Dominions: and then to train up his Son under them, in the Popish Religion; To which not onely heretofore, but now likewise they strenuously endeavour by all possible means to seduce him; as appears more especially by Monsieur Militiere his (e) late book dedicated to Him for that purpose, to invite him to the Roman Catholick Faith. Surely all these premised instances compared together, and with that memorable

(e) *The Victory*
of Truth, Anno
 1653.

rable passage of the English Jesuite **Campion*, in his *Con-*
certatio Ecclesie Catholicae : (or *Epistle to Queen Eliza-*
beths Councel.) *Treviris* 1583. p. 22. *Velim sciatis, quod*
ad Societatem nostram attinet, omnes nos, qui per totum
Mundum longe lateque diffusi sunt, quarum est continua suc-
cessio, & magnus numerus, quantum foedus injisse, nec quam-
diu unus nostrum supererit, studium, & consilia nostra in-
termitturos, ad Reges Hereticos quovis modo tollendos
 (as *Hopkinson* relates, and expounds his words and mean-
 ing) & Religionem vestram extinguere. *Iampridem jacta*
est ratio, & inchoatum certamen nulla vis, nullus Anglorum
impetus superabit; so as to hinder this their holy League and
 Covenant long since entred into, To destroy, take out of the
 way, ruine all Protestant Kings throughout the World, under
 the Notion of Hereticks by any means whatsoever, (and the
 Protestant Religion togetherwith them.) With a * Copy of a
 Letter sent by an Independent Agent from Paris, some few
 weeks before the Kings removal from the Isle of *Wight*,
 by the Army-Officers, declaring the Jesuites implacable En-
 mity to the King, and to hereditary Monarchy throughout the
 World. And an Express sent from Paris to the King him-
 self, some three dayes before his seizure and translation
 from *Wight*, to this effect, (as I have heard from per-
 sons of Honour) That the Jesuites at a general meeting in
 France, had resolved, by the power of their friends in England,
 to seize on his Majesty, bring him to justice, and cut off his
 head, because he had, contrary to their expectation, closed with
 the Parliament, consented to the abolishing of Episcopacy, and
 to five new Bills against Jesuites, Popish Priests, Mass, Po-
 pery, and all Popish Ceremonies, in the last Treaty ; and ad-
 vising Him, to prepare for this new storm, which within few
 days after fell upon him: will sufficiently inform the world,
 that the late unparallel'd capital proceedings against our
 Protestant King, (contrary to the Votes of both Houses
 of Parliament) the Parliament Members, Peers House,
 and forced, dissolved late Parliament too, * proceeded not
 from the Principles of our reformed Protestant Religion, as
 this (f) Monsieur in his printed Pamphlet, would make
 his

* *Hopkinson.*
Hist. Jesuitica,
 l. 3. t. 2. §. 1. 4. l. 4.
 §. 264.

* Printed by ic
 self, and at the
 end of my Speech
 in Parliament.

* See An Apo-
 logical Decla-
 ration of the
 Province of
 London, &c.
 Jan. 24. 1649.
 (f) Page 5, 7.
 8, 18, 33, 39.
 &c.

his Reader, the young King, to whom he dedicates it, and all the World believe ; but from the Popes and Jesuites forecited Treasonable Opinions, seconded with their clandestine Sollicitations and Practises : and that they, with some French Cardinals, Jesuites, as well as Spanish and English, (then present in England to promote their Designs) were the chief original Contrivers, Promoters of them, whoever were the immediate visible Instruments, as I

(g) See my Speech in Parliament, and Memo. The Epistle to my Jus Patronatus, & Tho. Campanella De Monarchia Hisp. 6. 25. * See the Declaration of the secluded Members, The London - Ministers and others, Representation to the General, and the second part of the History of Indipendency. * To their General & Officers, even in unlawful acts against the Parliament, King, Kingdom.

have (g) elsewhere more fully demonstrated, for the wiping off this Scandal from our reformed Religion, & the sincere Professors of it, who both abominated and * protested against it in print. Radolphus Hospinian in his excellent Historia Iesuitica, 1. 4. f. 244, 245. reckons up these three prime causes of the Jesuites Regicides, & other Notorious Treasons. The first is, that blinde Obedience, which they vow to their Superiours, to execute with great celerity, spiritual joy, and perseverance, whatever their Superiours shall enjoyne them, by being perswaded, That all their Commands are Just to them; by renouncing their own Opinion and Judgement with a certain Blinde Obedience: and by believing, that those who live under Obedience, are carried and governed by Divine Providence, (a word now most in use with our Army-Saints, and Souldiers, wholly infected with this Jesuitical Doctrine of * Obedience) by their Superiours, whithersoever they shall suffer themselves to be carried, or in what sort soever they shall be dealt with by them, (like a staffe in the hand of a man, which readily obeys him that holds it, wheresoever and in what thing soever he will please to use it,) especially when backed with a pretext of Necessity, Religious Safety, Publick Good, Exemplary Justice, and promoting the common Cause for which their Society was first instituted. 2. That they hold themselves obliged to no Kings, Princes, or Civil Magistrates by any Oath of Allegiance, but onely to the Pope and their Generals; and therefore think themselves free and unable to commit any Treason at all against them, although at the Popes and their Superiours commands they still rise up against, murder, or destroy them. 3. That they deem those Kings, Princes, which the Pope and Jesuites, or other

other learned men of their Religion, or the common people shall deem Hereticks, to be thereby wholly made incapable of any Empires, Kingdoms, or Principalities, or any other civil Dignity; yea, to be accursed Tyrants, unworthy of the name of Kings; that thereby their Subjects are totally absolved from the bond of Allegiance to them; and that thereupon it is lawful to kill and destroy them, and the murders of such are meritorious. Now that these three Jesuitical Grounds and Principles, (infused into our Army-Officers and Souldiers by the Jesuites and their Instruments of late yeers, against their Primitive Orthodox Positions, Protestations, Declarations, Oaths, Covenants, Engagements) backed with secret Avarice, Ambition, and Self-ends, were the principal impulsive Causes of all the extravagant violent Proceedings both against the late King, and Parliament (not the loyal Principles of the Protestant Religion.) is apparent unto all the World, by the Armies own Declarations of Nov. 16. and Decemb. 7. 1648. Their True State of the Commonwealth of England, &c. 1654. and other Pamphlets for their justification, which all true Protestants blush at.

3. That the Jesuites ever since the Establishment of their Military Order, under Ignatius their Martial General, have been the *principal Firebrands, Bellows, Instruments of kindling, somenting, raising, continuing all the publick commotions, wars, seditions and bloody feuds that have happened in or between any Kings, Kingdoms, States, Princes, Sovereigns or Subjects throughout the Christian world; and more particularly, of all the Civil commotions, wars in France, Germany, Transylvania, Bohemia, Hungary, Russia, Poland, England, Scotland and Ireland, to the effusion of whole Oceans of Christian blood: which one poetically thus expresseth,

(h) *Quicquid in Orbe mali passim Percante Gradibus est,
Quicquid turburum tempora nostra vident,
Cuncta Sodalitio mentito Nomine Jesu
Accepta Historiâ recte, referre licet.*

(h) *Jubileum,
sive Speculum
Jesuiticum Epi-
gramma.*

*Ite modo & vestra celebrate Encania Secta,
Militis inventum, Lololana cohears.*

(i) *Hasen
mullerus
Hist. Jesuit. c. 1.
Speculum Jesu-
iticum, f. 61.*

Yea, it is well worthy observation, what *Jacobus Cru-*
cius, a Jesuite (Rector of the Jesuites Novices at *Landsberge*)
presumed to publish, in his *Explication of the Rules of the*
Jesuites, Anno 1584. in these words: *The Father of our*
Society ought to be a Souldier; because, as it is the part of
a Souldier, to rush upon the Enemy with all his Forces, and
not to desist, till he become a Conquerour; so it is our duty
to run violently upon all, who resist the Pope of Rome; and
to Destroy and Abolish them, not onely with Counsels,
Writings, and Words; Sed invocato etiam brachio so-
culari, Igne & Ferro tollere & abolere, sicut Pontifex
& nostra Uota (contra Lutheranos suscepta) Volunt &
MANDANT. But likewise by calling in to our assistance the
secular Arm (of an Army) to take away, and destroy them
with Fire and Sword, as the Pope and our Dathes (taken
against the Protestants) will and Command. And may
we not then safely conclude, they have been the Original
Contrivers, Fomenters, Continuers of all our late intestine and
forraign wars, by Land and Sea, with our Christian Protestant

(k) *Exact Col-* Brethren and Allies, (as (k) *sundry Parliament Declarations*
lection, p. 12. to of both Houses aver and attest?) And that many of them
2097, 98, 106, have secretly crept into, and listd themselves Souldi-
108, 207, 461, ers in our Armies, on purpose to put on foot their designs
to 465. 491, against our King, Kingdoms, Churches, Religion, and
492, 498, 508, perpetuate our Civil Wars? And so much the rather,
574, 616, 631, because, (a) *Alphonfus de Vargas* (a Spanish Popish Priest)
to 638, 660, to informs us: That the Jesuites, being a Generation of *Incen-*
670. 812, 10 diaries, are so wel pleased with the name of their Founder
828, 832, 834, *Ignatius*, derived from Fire, and signifying a Caster about
849, 890, 10 of wild-fire, or an *Incendiary*; that though his christned
918, 651, 652, name at first was *Innicus*, or *Inighistas*; Yet *Iohannes Ense-*
653. *binius Nirenberger*, a Jesuite, in his Book, *De Vita Ignatii*,
printed at *Madrid*, 1630. most falsly records, That his

(a) *Relatio de*
Satagematis
& Sophismatis
Jesuitarum, c.
4. 6. 7.

Parents at his Baptism, being in doubt what name to give
him, thereupon the Infant himself, with a loud voice, said,
We

He would be named Ignatius, to signifie what office he should obtain in the Church and world, even to cast abroad fire in them, and set them all in a flame. Hereupon his Disciples the Jesuites, considering that this their founder was by his name A firebrand, and a Souldier by his profession, professed publicly to the King of Spain, his counsell and the world, that it was no less consonant to the mind, institution and statutes, then to the name of their warlike Father Ignatius, that they should not onely exercise, but Publicly profess and teach to others, Artem Pyrotechnicam, &c. the art how to make and cast abroad fire-balls, fire-works and wild-fire, to fire and burn houses and Cities: and likewise the art of warre, of setting Armies in battel array, of Assaulting cities, the manner of making Gun-powder, bullets, fire-balls; of casting Guns, and the manner and wayes of making all other Military works, Engines, together with rules and precepts belonging to Navigation, & omnia maritimi belli munia: and all duties and incidents belonging to Sea-fights. Upon which they perswaded the King of Spain (notwithstanding the opposition of all the Universities of Spain against it) to erect a publike University for their fiery martial order at Madrid, and to endow it with an annual Revenue of ten thousand Crownes; wherein they set up a publike Lecture concerning war and all incidents appertaining thereunto; with this Printed title: *Acroasis, De re Militari; in qua precipietur Doctrina & forma Militiae veteris & Hodiernae, & Species Mathematicum arti isti subordinatarum: qua sunt Tactica, sive De Acie instruenda, Topographica, Machinaria Militaris, Organo Poetica, Pyrotechnica, &c. Hanc acroasia faciet, P. Hermannus Hago* (a Jesuit) *quarta pomeridiana usque ad quintam.* This is the first publike Military Lecture I ever read of erected in any University amongst Christians, and Professors of the (a) Gospel of peace; who are expressly en-

To put up their swords into their scabbards, because all those that take the sword, shall perish with the sword. (e) To beat their swords into plow-shares, and their spears into pruning-hooks: not to lift up the sword against one another, neither to

(a) Rom. 10. 15
(b) Rom. 15. 33
Heb. 13. 29.
(c) Isai. 9. 6.
(d) Mat. 26. 52.
(e) Isai. 2. 4.
Mica. 4. 3.

learne war any more. Yet such bloody incendiaries and delighters in war are the Jesuites, that they thus publicly teach others the art of war and fire-workes, to set the whole Christian world in combustions and open warres against each other; which they have everywhere accomplished, and that upon this accompt: that the Gospel of Jesus is principally to be taught and propagated by armed power, exercitu & armorum usu; by An army and the use of armes (whereby they now propagate it in our Kingdomes the quite contrary way, to the ruine of our Church and religion:) whereupon (f) Vargas passeth this just censure on them: *Hos velut Ignigenos illis Comici verbis recte quis a se amoliri, & in malam rem abire jussit.*

(f) Cap. 7. p. 47
and c. 23. p.
132.

Apaga illum a me; nam ille quidem Vulcani irati est filius. Quicquid tangit, Omne amburit; si prope abstes, calefacit.

And a German Frier in his *Astrum inextinctum*, gives this true Character of them: *Discordias inter suprema Reipublica Christiana capita seminare credimus esse veritati patrocinari; quam salvam esse negant, quamdiu Principes isti inter se non colliduntur. Hoc est flammam in Europa suscitare, sicut gloriantur Patrem societatis Ignatium, esse illum, de quo Christus dixerit, Veni ignem mittere in terram, hoc est, clasticum in aulis Principum canere, & illos inter se committere.*

4. That the (g) Jesuites from the first erection of their Military order, have conspired, attempted to subvert and utterly extirpate (under the name of Schismatickes; Hereticks, Gospellers, Heresie, and the Gospel) all professors what soever of the Protestant Religion and their Doctrines throughout the world, not onely by Machivilian plots and treasons, but by war, fire, sword, holy leagues, Armies & armed power, as is evident both by their bookes and Practises. To instance in a few particulars both abroad and at home. *Franciscus Veronas Constantiensis*, a Jesuite, in his *Apology for John Castle*, Anno 1595. part 5. c. 13. resolves, That all wars to extirpate hereticks (Protestants) Are lawfull, yea more lawfull then against

(g) See Hospinian. Historia Jesuitica. 14. f. 212, 213, 214. and l. 3. throughout. Thuanus Hist. l. 4.

against all other Infidels, because Heresie according to Gods word, is worse then all Infidelity. And if war be Just against Heretickes, how much more just is it against the head of the Heretickes? And if it be just to Extirpate heretick call things out of all Christian Kingdomes (which the Jesuites entred into an holy League to effect, as you heard before out of Campian) How much more just is it in the most Christian Kingdom (France) to root out King Henry the 4? (whom they not onely warred against, but stabbed and murdered as aforesaid.) (h) Thuanus ^{(h) Geneva, 1620.} Historiæ, l.65. p.238. and lib.67.299. records; That it is the opinion and Sentence of the Jesuites, that it is a **Wise** and **wholsome** thing, that all Christians should lay violent hands upon Sectaries and Protestants, ought to be armed against them, and to make no peace, keep no faith nor truce with them; yea, that it would be more profitable for the Church, and more conducing to Gods glory, for all Christians to give over their warrs they wage against the Turkes by common consent, and to let the Turks alone, and to turn all their arms and forces against the Evangelical Sectaries (or Protestants) which live amongst them, who are worse, and ought to be more odious to true Christians then Turkes; and * utterly to destroy and persecute them to death, rather then to delete the unbelieving Mahometans, who are not so dangerous as they. ^{* Yet these plead for a Toleration among us, and enjoy it.} Hoc quàm pie, et juxta mansuetudinem Christianam dicatur, ipsi qui conscientias aliorum moderantur, conscientiam suam rogant; Subjoynes Thuanus, though a Papist. And Joannis Paulus Windeck, in his Book De extirpandis Hæres. antid. 10. p.404.412. antid. 11. p.480. and p.244. positively determines, That the Lutheranes and Calvinists are to be persecuted with warrs, and not onely to be terrified, but likewise deleted, cut off, taken out of the way, and utterly extirpated with arms and flames. That all Catholike Princes ought to enter into Holy leagues, associations & confederacies, to destroy and root them out, as they did in France, Anno 1587. That the opportunity is not to be neglected, namely, Quando Protestantæ Pecuniis exhausti sunt; when the Protestants Purfes and money are exhausted (as they are now amongst

us by excessive endless Taxes, Excises, Civil wars, and a perpetual army too much swayed by Jesuitical counsels, to eat us out, and ruine us with our Religion in conclusion, ere disbanded.) And that the Catholickes may more easily oppress and destroy these Sectaries, they are to be severed one from, and divided against each other, by sundry various arts and means, and all occasions laid hold on for this purpose. (And are we not so now in all our Realmes and Dominions more then ever, by the Jesuites and Romish Emissaries?) Which the Emperor Charles the 5 observed (in his proceedings against the Protestants in Germany) to his great advantage. In pursuance of these Jesuitical (i) Positions, Anno 1576. and 1577. the King of Spain, Duke of Guise, with sundry others, Jesuited Popish Princes, Nobles and Papists of all degrees, by the Jesuites instigation, and Popes speciall approbation, entred into a bloody Conspiracy, or holy League, as they term it: To restore and retain the most holy worship of God, according to the form and maner of the holy catholike Apostolike Church of Rome: to abjure all errors or corruptions contrary therewith, &c. To spend not onely all their Estates, but lives, to repeal all publique Edicts in favor of the Protestants and their associates; to extirpate all Heresies, heretickes, and pursue all such as publique enemies, with fire and sword to death, who should any way oppose or withstand this League, or refuse to joyne with them in it, or fall off from it upon any pretext, after this Oath to observe it. Which League they several times renewed: and in the (k) renovation thereof Anno 1598. the Jesuits openly boasted, That they would use their utmost endeavours, that before the year 1600. began, Evangelium (So they termed the Protestant Religion) Radicitus ex obo toto extirpetur; Should be clean extirpated out of the whole world. The Massacres, Slaughters of how many thousand Protestants by open intestine wars and bloody Conspiracies, this League occasioned in France, Germany and the Netherlands, together with the murders of two French Roman Catholike Kings, the (l) French and Belgick Histories of those times, will sufficiently inform the Reader. (m) In the year 1602. the Jesuites erected a new Col-

(i) Richardi
Dinathi Histo-
ria de Re-
bus Galli-
cis, 16. p. 151. &c.
The General
History of
France. p. 778.
779 Holpinian.
Historia Jesu-
tica f. 149. 150
Thuanus Histo-
ria. l. 63.

(k) Dinothus,
Peter Mathem,
Thuanus Ge-
neral History
of France, Me-
teranus, and
others.

(l) Speculum
Jesuiticum,
p. 92.
(m) Meteranus
Historia. l. 23.
Speculum Je-
suit. p. 100.

Colledge and Society at Thonon in Savoy, to convert or utterly extirpate the Protestants, under the Notion of Heretickes.

1. by Preachings. 2. by pious frauds. 3. by All armata: by force of armes: to which new Society, many Popish Kings, Nobles and others, gave their names; and in June that yeare lifted above 25000 expert Soldiers, all Roman Catholickes, to put this their Designe against the Protestants in execution upon the next oportunitie: there being above 50 Jesuites disguised in Lay-mens habits imployed in England, to stir up the Papists and people there to joyn with them in this new Association, to root out the Protestants in all places by the Sword, the Principal Engine used by these Ignatians to effect it. To pass by (n) all the conspiracies and attempts of the Jesuites in Queen Elizabeths reigne, to extirpate our Religion and the Professors of it by open wars, Rebellions, Spanish and forraign invasions both in England, Ireland and Scotland, recorded by Mr. Cambrden, Speed and others in her life, and William Watson in his Quodlibets; with their attempts of like Nature in the beginning of King James his raign, recited in the Statutes of 3. Jacobi, c. 2. where all may peruse them: I shall onely acquaint you; That a little before the beginning of our late bloody wars, Divisions, (contrived, somented by the Jesuites and Papists, as I (o) have elsewhere at large, discovered, and (p) many Parliament-Declarations attest) one Francis Smith an English Jesuite, openly affirmed to Mr. Waddesworth and Mr. Taxly, That it was not now a time to bring their Religion by disputing or Books of controversie, but It must be done by an Army, and By the Sword. And it is very considerable, That when the Jesuites Spanish and Romish Agents had engaged the King and English Protestants against their Protestant Brethren of Scotland, 1639. to cut one anothers throats; the King of Spain had provided a great new Spanish Armado by the Jesuites sollicitation, and a great Land-Army of old Spanish Soldiers to invade the Western and Southern parts of England, then destitute of all forces, Arms & Ammunition to defend it, all drawn to the Northern parts against the Scots; and to joyn with the Popish confederates here, to extirpate the English heretickes

(n) See Hespinian. Historia Jesuitica l. 3. f. 160. 161. 162

(o) Hidden workes of darkness brought to publique light. Romes Master-piece, Canturburies Doome.

(p) Exact Collect. p. 651. 652. 661. 668. 813. 10. 832. 902. to 920.

and Protestants: which designe of theirs, through the *Hollanders* unexpected encounter, which scattered their fleet upon the *English Coasts*, and the *Pacification* with the *Scots*, before any engagement of both Armies, was happily prevented. That this Spanish Fleet was then especially designed for *England*, appears (besides other Evidences, which I have (q) *elsewhere* touched) by the confession of an *English Pilot* in that Navy upon his death-bed, mortally wounded in the first fight, to an *English Minister* and others, to whom he revealed it out of conscience; by some Letters I have met with; and by a Pamphlet made and printed by the Jesuites, Anno 1640. intituled (r) *The Jubilee of the Jesuites*, taken from a Papist at Redriffe, and presented by Sheriffe Warner to the whole Commons House, November 14. 1640. Wherein among other Passages then read in the House, (entred in the Journal of that day, out of which I transcribed them:) there was a Particular prayer, for the holy martyrs that suffered in the Fleet sent against the Hereticks of England, 1639. with this advice; That the Papists must stir in troubled waters, (to wit, whiles that the King was engaged in the wars against the Scots:) with * certain prayers added, for their good success in that Designe against the Scots. For the more effectually carrying on whereof, the Popes Nuncio, with the (s) Colledge of Jesuites then in Queen-street, secretly summoned a kind of Parliament of Roman Catholics and Jesuites in London, out of every County of England and Wales, in which Conne the Popes Nuncio late President, by the Queens commission and direction, in April, 1639. Who granted and collected an extraordinary large Contribution, by way of Subsidy, from the Papists, to carry on this war against our Protestant Brethren of Scotland, and raise forces to joyne with the Spaniards, whom they then expected, to cut the English Protestants throats. The Jesuitical and Prelatical Popish party much displeased with the defeat of this their Plot, by the unexpected Pacification with the Scots, 1639. induced the King soon after to break and revoke it, (t) Anno 1640. (the very year of the * Jesuites Jubilee, which they solemnized in all places, being

(q) The Royal
Popish favour-
ite p. 58, 59.
Hidden workes
of darkness
brought to light
p. 198.

(r) The Royall
Popish favour-
ite. p. 58. 59.
Hidden workes
of darkness
p. 198.

Nota

* Exact collect.
p. 12, 13.

(s) Hidden
workes of dark-
ness brought to
publique light
p. 189. to 190.
and Romes
Master-Peece.

(t) See the
Kings declara-
tion concerning
that Treaty,
Hidden workes
of darkness.
* Speculum sive
Jubilaeum Je-
suiticum.

being the 100. year from the first Erection of their Order by Ignatius, Anno 1540.) they caused a new Army to be raised and sent into the North against the Protestants of Scotland, to subdue & destroy them. At the same time they secretly (u) listed an Army of no less then 7000. Romish Catholicks, kept in private pay, of purpose To cut the Protestants throats who should resist them, and to Conquer the Protestants in England first, and then in Ireland; which Designe they were to put in execution, when the Pope or his Legat, with the Spanish, French and Venetian Ambassadors should appoint; who designed them to begin to execute it, When the King went into Scotland against the Scots; as O Conner (the Queen-Mothers Priest) confessed to Anne Hasser, who justified it to the Lords of the Council then, and afterwards, before the Lords in Parliament upon her Oath. The Jesuites were so confident of the good success of their designs amongst us, and compleat Victory over all the Protestants throughout the world this yeare of their Jubilee (making * Triumph over their Enemies, one of their Notes of the true Church) that (x) they appointed a solemne Enterlude to be acted by their Society in the publique Hall at Aquilgran in Germany, in honour of their Jubilee: wherein they signified to the people, by printed Tickets and Pageants, that the Popish Church of Rome should be brought in upon the Stage, happily fighting against, triumphing and reigning over all her enemies every where throughout the world, in all ages till that present day, and especially of later times, by their meanes. The beginning of this Enterlude being happily acted, and succeeding according to their mindes; at last there were two Armies of soldiers brought by them upon the Stage, ready to encounter each other: the one of Jesuites and Papists, fighting for the Church of Rome; the other, representing the Protestants warring against her. Before their sight, a Jesuitical actor, clad in black, personating a Popish Masse-Priest, divineth good success to the Popish Army, praying for it with an affected devotion and solemne invocation (or rather profanation) of Gods name: after which, the Popish Army of actors, as being certain of the instant victory;

(u) Hidden
works of
darkness p.
225. 226.
Canterburies
Doom. p. 459.

Nota.

* See Bellar-
min. de Notis
Eccl. Nota. 15.
(x) Speculum
sive Jubilaeum
Jesuiticum. p.
220. 10 224.

uttered these words to their Captain (as their parts directed them) with a loud reiterated voyce and shout; *Pericat, Pericat, Quisquis est hostis Ecclesiae*: Let him perish, let him perish, whoever is an enemy of the Church: whereupon a great part of the Stage on which they acted, together with the whole Popish Army (not one Souldier or Captain excepted) at the repeating of these words and wishes, fell to the ground immediately, with so great celerity, that many of them felt they were fallen down, before they discerned themselves to fall; their feigned enemies of the Church (representing the Protestants) standing all fast, at least in place, if not in mind, on the other part of the Stage, which fell not at all. With this sudden fall, many of the Popish Army were bruised in peeces with the beames of the Stage falling upon them; who through pain and horror, needed Monitors to silence their outcries; others having their bones broken and Limbes put out of joynt, were carried to the Chirurgions to be dressed; and all the rest confounded with shame, crept away secretly under the Veile to their Lodging. And so this Jesuitical Enterlude, by divine justice, ended in a real unexpected bloody Tragedy and real rout of the whole pretended victorious Popish Army of Jesuites; and the Scottish Wars that yeer (which they so much depended on) through Gods mercy, concluded in a blessed Peace and Union between both Nations. Whereupon, the (y) Irish Popish Rebels, by the Jesuites Plots and instigations, seconded with secret encouragements, and promises of assistance with Arms and Moneys from Cardinal Richlieu, the King of Spain, Pope, and other forraign Popish Princes, undertook the late horrid bloody Massacre of all the Protestants in Ireland, and surprisal of all the Forts, Castles, Arms and Ammunition therein, on the 23 of October, 1641. (z) being Ignatius Day, the Founder and New Canonized Saint of the Jesuited Society, for the greater Honour of their Patron, Order; they being the chief Plotters of this horrid bloody Treason. Which horrid Conspiracie, though happily discovered the night before its execution, at Dublin, and some few places else; yet it took effect in most other parts of Ireland, to the slaughter of neer two hundred thousand Prote-

(y) See Hidden works of darkness brought to publike light, p. 219. to 250.

The Rise and Progress of the Irish Rebellion, and others.

(z) Hidden works of darkness, p. 243.

and all Zealous Protestant Freemen of England.

Protestants there, in few months space; seconded with a bloody Warre, for sundry years; to the losse of many thousands more lives. To this Plot *all the Papists in England were privy, ^{*Hidden works who intended the like Massacre in England; and soon after by of darkness, p. the Popes and * Jesuits instigations, by the assistance of Jorragin 226.} Popish Princes, they engaged the King and Parliament in a long- ^{* Exact Coll. P. 662. 666, 813 to 832.} lasting bloody uncivill, unchristian war against each other, con- ^{A Collection of Ordinances, p. 267, 318, 354,} cluding in the Kings and Parliaments joynt ruines by an Army ^{History of In-} raised for their mutual defence, seduced thereunto through ^{dependency.} the Jesuits instigations and policies. After which, they engaged the Protestants of England and Scotland (formerly united by the strictest Bonds and Covenants against them) to war upon, invade and destroy each other by land; and soon after that (by the Spanish *Agents Assistance) raised a most dangerous bloody Warre between our Protestant old Allies of the Neitherlands and the English by Sea; to the infinite damage, prejudice of both, and the effusions of whole O- ^{* See Tho. Campanella de Monarchia Hiss. c. 25, 27.} ceans of the Gallantest Christian Protestant blood, that ever yet was shed, the expence of more treasure and men in these intestine Wars, than would have conquered all Spain, Italy, and the Indies, had they been employed upon such a designe; and to the entailing of a *perpetuall Ar- ^{* See the 27 Article of the Instrument of Government.} my on us and our Posterities; more ready (as we have of late years found by sad experiments) to hearken to the Jesuits clandestine suggestions, seductions, and execute their fore-plotted Designs to ruine our Kingdomes, Parliaments, Laws, Liberties, Monarchy, Church, Religion, then to follow the Advice, Votes, Councils, Directions, Commands of our Parliaments, Kingdomes, and the best affected Protestants of all ranks; who first raised, and have so long maintained them, for quite other ends (hereafter touched) then what they (of late times) have most pursued, to the Popes and Jesuits great content.

5. That the Jesuits have endeavoured, attempted the convulsion, concussion, subversion not onely of the Empires, Realms, and ancient settled Governments and States of Germany, Russia, Bohemia, Hungaria, France, Poland, but likewise of England, Scotland and Ireland, and to new model them

do glory; *Hoc Societatis proprium esse, ut quotidie novas promat inventiones quibus homines ad Deum perducantur*: That this is the property of their Society, that it DAILY BRINGS FORTH NEW INVENTIONS, whereby men may be brought home to God (that is, to their Religion and Society) the principle whereof they, and Vargas record, to be these. Their persuading of men to embrace the Gospel, by AN ARMY; the use of ARMES, Power, Terroure, Fire: Their Exercise of Merchandize (which many of them in most places & in * England too, now use, they being very great Merchants, Factors, and Returners of Moneys by Bills of Exchange) and of all other Secular Employments, Callings, in Lay-mens habits, the more easily to insinuate themselves into all Countries, Places, Companies and Societies of men to infect, seduce, and discover their secrets, according to this their received Maxime; JESUITA EST OMNIS HOMO: a Jesuit is every man: that is, a man of all Professions, Callings, Sects, Religions to effect his ends: Their questioning, traducing, oppugning, censuring of all the Articles of the Apostles Creed, and recieved Principles, Doctrines of Christian Religion; corrupting, slighting, falsifying the Scriptures themselves, together with Councils, Fathers, Schoolmen, and all other Divines; but those onely of their own Order, which they incomparably extoll above and prefer before all other: Their venting of new Opinions, Notions, Revelations, Expositions, Crochets, Heresies, Problems, both in Divinity it self, and all other Arts and Sciences in the Presse, Pulpit, Universities, Schools. And if these (as Vargas assures us) be their properties and new inventions to propagate the Gospel, and draw men unto God (which our Lord Jesus himself and his true Disciples were wholly ignorant of) may we not certainly conclude, that they have of late years been extraordinary busie at this their harvest work amongst us, and more especially in spreading their Gospel by AN ARMY; and taking upon them the use of Armes, in imitation

* Hidden
works of darkness
brought to
publique light,
p. 203, 204.

of their Military Father Ignatius, with all other secular Employments, and New Sects to draw Profelites and new separate Congregations to them, throughout our Realms, to destroy both our Church Discipline and Religion, as well as our Civill Government and Laws?

8. That as the whole House of Commons in their * Remonstrance of 15. December 1641. charge the Jesuites, and late Jesuited Court-Counsellors, with a Malignant and pernicious designe, of SUBVERTING THE FUNDAMENTAL LAWS and Principles of Government upon which the Religion and Justice of the Kingdome are firmly established. So William Watson a Secular Priest, chargeth Father Parsons, the English Jesuite, and his Jesuited companions, in their Memorial for Reformation of England, when it should be reduced under the power of the Jesuites (as Parsons was confident it would be, though he should not live to see it) written at Sevil in Spain, Anno Dom. 1590. that they intended to have Magna Charta, with our Common Fundamental Laws and Liberties, abrogated and suppressed: thus expressed by William Watson in his Quodlibets, pag. 92, 94, 95. Father Parsons and the Jesuites in their deep Jesuitical Court of Parliament, begun at Styx in Phlegeton, have compiled their Acts in a compleat Volume, intituled: THE * HIGH COURT OF REFORMATION FOR ENGLAND. And to give you a taste of their intent by that base Court of A TRIBE of TRAITORS sawcily (like to Cade, Jack Straw, and Tom Tiler) USURPING the AUTHORITY of both STATES, ECCLESIASTICAL and TEMPORALL in all their REBELLIOUS ENTERPRICES: these were principall points discussed, set down, and so decreed by them, &c. He first mentions three of them relating to * Churchmen, Scholars, and Church and Colledge-Lands: which were to be put in Feeoffees hands, and they all to be reduced unto Arbitrary Pensions, &c. And then proceeds thus to the Fourth. The fourth Statute was there made concerning the COMMON LAWS of this LAND; and that consisted of this one principal point, That, ALL

Exact coll. p 3, 4 &c.

* Quere, whether the High Court of Justice had not its title from hence

* See W. Watson's Dialogue between a secular Priest and Lay Gentleman; printed at Rhemes; 1601. p. 95.

‘THE GREAT CHARTERS of ENGLAND MUST
‘BE BURNT; the manner of holding Lands in Fee
‘simple, Fee tail, Kings service, Soccage or Villanage,
‘brought into villany, scoggerie and popularity; and in
‘few, the Common Law must be wholly annihilated, abolished,
‘and troden down under foot, and Cæsars civill Imperials
‘brought amongst us, and sway for a time in their pla-
‘ces. All whatsoever England yeelds, being but base, bar-
‘barous, and void of all sence, knowledge, or discretion
‘shewed in the first Founders, and Legifers; and on the
‘other side, all whatsoever is or shal be brought in by these out-
‘casts of Moses, staine of Solon, and refuse of Lycurgus, must
‘be reputed for metaphysicall, seme-divine, and of more excel-
‘lency than the other were. Which he thus seconds, *Quod-*
‘*libet* 9. Article 2. p. 286. First, it is plain, that Father Par-
‘sons and his Company (divide it amongst them how
‘they list) have laid a plot, as being most consonant and
‘fitting for their other Designments, That the Common
‘Laws of the Realm of England must be (forsooth) either
‘abolished utterly: or else, bear no greater sway in the Realm
‘than the Civil Law doth. And the* chief reason is, for that
‘the State of the Crown and Kingdome by the Common Laws is
‘so strongly settled, as whilest they continue, the Jesuites see
‘not how they can work their wills. And on the other side,
‘in the Civil laws, they think they have some shreds,
‘whereby they may patch a cloak together to cover a
‘bloody shew of their Treasons for the present, from the
‘eyes of the Vulgar people. Secondly, the said good Fa-
‘ther hath set down a course how every man may shake off
‘all authority at their pleasures, as if he would become a new
‘Anabaptist, or King John of Leydon, to draw all the world
‘into Muriny, Rebellion and Combustion. And the
‘Stratagem is, how the* Common people may be inveig-
‘led & seduced to conceit to themselves such a liberty or prero-

* And is not
this the chief
Reason of their
late endeavouri-
ng alterations

* And was not
this the very
principal argu-
ment lately used to
alter our old
Fundamental

Government, cut off the King, and divest his Posterity of their three Kingdoms? witness
the Armies printed Declarations, and the Junctores Votes in pursuance of them, Jan. 3.
1648. See *Mene Tchel Perez* by John Rogers.

'gative, as that it may be lawfull for them, when they think
 'meet, to place and displace Kings and Princes, as men do their
 'Tenants at will, hirelings or ordinary Servants. Which
 'Anabaptistical and abominable Doctrines, proceeding from a
 'turbulent tribe of Traiterous Puritans, and other He-
 'reticks, this treacherous Jesuite would now foist into the
 'Catholik Church, as a ground of his corrupt Divinity.
 'And p. 330, 332. He intends to alter and change all Laws,
 'Customs, and Orders of this Noble Isle. He hath prejudi-
 'ced the law of Property, in instituting Government,
 'Governours, and Hereditary Princes to be, *BENEPLA-*
 '*CITUM POPULI*, and all other private possessions, *ad bene-pla-*
 '*citum sui*. &c. Whether any such new deep Jesuitical Court
 of Parliament, and high Court of Reformation for England, to
 carry on this old Design of the Jesuites against our Laws,
 hath been of late years sitting amongst us in or neer West-
 minster, or elsewhere, in secret Countel every week, as di-
 vers intelligent Protestants have informed me, and *Hugh
 Peters reported to divers on his own knowledge (being
 well acquainted with their Persons and practises of late
 years) it concerns others neerer to them, and more able
 then I to examine. Sure I am, a greater man by far then
 Hugh Peters, in an Assembly of Divines and others, for re-
 conciling all dissenting parties, not long since *averred
 to them on his own knowledge: 'That during our late
 'innovations, distractions, subversions in Church, State,
 'and overturning of Laws and Government, the common
 'adversary hath taken many advantages, to effect his de-
 'signes thereby in civill and spiriual respects. That he knew
 'very well, that Emissaries of the Jesuites *never came over in
 'those swarms, as they have done, since these things were on foot.
 'That DIVERS GENTLEMEN CAN BEAR WITNES
 'WITH HIM, that they had a CONSISTORY AND
 'COUNCEL ABROAD, THAT *RULES ALL THE
 'AFFAIRS OF THE THINGS IN ENGLAND. That
 'they had fixed in England, in the limits of most Catho-
 'drals (of which he was able to produce the PARTI-
 'CULAR INSTRUMENT) an Episcopal power, with

*A great stick-
 ler against our
 Laws and a
 promoter of this
 Jesuitical de-
 signe.

*This he hath
 since this Epistle
 penned, affirm-
 ed in a printed
 speech in the
 Painted Cham-
 ber before a
 greater Assin-
 bly, Sep. 4. 1654
 p. 16, 17.

*The more
 shame for those
 who suffer it.

*Therefore of
 the army and
 others Rulers
 by this clear
 publike confes-
 sion in print.

'Archdeacons and other persons, to pervert, seduce,
 'and deceive the people: And all this, whiles we were
 'in this sad and deplorable distracted condition. Yea,
 most certain it is, that many hundreds (if not some
 thousands) of them, within these few years, have been
 sent over from Forraign Seminaries into England under
 the disguises of *converted Jews, Physitians, Chyrurgions,
 Mechanicks of all sorts, Merchants, Factors, Travellers, Soul-
 diers, and some of them particularly into the Army; as
 appears by the late printed Examination of Ramsey the
 Anabaptized, New-dipped Jesuite, under the mask of
 a Jewish Convert, taken at New Castle in June 1653.
 and by sundry severall late instances I could name.
 To pretermitt all instances of diverse particular Jesuites
 come over into England, not only within these few years
 but moneths, discovered by persons of credit; with Sir
 Kenelm Digby; who though the son of one of the executed
 old popish Gunpowder Traitors; a dangerous active seducing
 Jesuited papist, if not a professed Jesuit; *who in the years 1638
 and 1639. conspired with the Popes Nuncio and a Conclave of
 Jesuites sitting in Council at London, to subvert our Religion,
 introduce a universall tolleration of the popish Religion in our
 kingomes, new modle and shake our former established govern-
 ment, and to poyson, destroy the late King himself, in case he con-
 sented not to them therein: and for this very purpose, both plot-
 ted, raised, promoted the first Wars between the Protestants of
 England and Scotland, which he abetted all he could, by his
 letters and secret Collections of moneys from all the Papists
 throughout England and elsewhere, who largely contributed to
 this war and designe: for which he, Sir John Winter, Master
 Mountague and others (who had a hand in this conspira-
 cy) were convented and brought upon their knees at the Com-
 mons House-bar, Jan. 28. 1640. upon which he retyring
 into France was about May 1645. sent as a speciall Embas-
 sadour from the Queen to the Pope of Rome himself, to soli-
 cit him for ayds of monies, men, arms, against the Parliament;
 Whereupon

*As amongst o-
 ther, Eleazar
 and Joseph Bar
 Isaiab, 2 chea-
 ting Impostors
 and Villains,
 who have chea-
 ted good people
 of some thou-
 sands of pounds
 The 1 of them
 would have for-
 tibly ravished
 a maid in
 March last, &
 fled away in
 the night to a-
 void apprehen-
 sion, from Durs-
 ly in Gloucester-
 shire. He confes-
 sed in his drink
 he was a soul-
 dier in Prince
 Ruperts army.
 * 3 Jac. c. 1, 2.
 The arraigh-
 ment of trai-
 tors, Speed,
 Stow. 3. Jac.
 * Romes Master
 picce p. 8. & c.
 13, 24. Hidden
 works of dark-
 nesse brought
 to publike light
 p. 189. 190.
 196. 202. 211.
 253, 254. Ex-
 act Collection
 p. 12. 13.
 Canterburies
 Doom p. 453.

his first audience, he had the best reception, and fairest Promises of Aid in general that could be wished; writing hopefully of supplies of Moneys from Rome to the Queen and others, as both Houses of Parliament in their (c) Declaration and Letters, (published 26 March 1646.) proclaim to all the world) and likewise good Hopes of (d) a Cardinals Cap for himself, or the Lord Aubeny, or Mr. Mouniagne, for which he and the Queen solicited After that, upon his return from Rome, he was sent over into England about Decemb. 1648. as (e) a fit instrument to New-moode us into a Commonwealth, and promote the violent Proceedings of the Army-Officers and their Confederates (set on work by the Jesuits and their Agents,) against the late King, Parliament, Members: where, upon his arrival, he was, instead of being apprehended and brought to justice for the premises, hugged by some Grantees whom he courted, permitted to ride and walk about at large, while the Members were under strict guards and restraints; frequently repaired to Whitehall, where he was well received; his Sequestration totally taken off, without any Fees or gratification, by Special order; and himself now at last permitted to lodge not only in Wildemans House, (where the Queens Capuchins formerly resided) but sometimes in Whitehall it self; to the admiration of many understanding Protestants, who justly suspect, he hath there more disguised Jesuits to consult with, and promote both their old and new designs against our Church, State, Religion, Laws, Liberties, till they have brought them and us to utter ruine. I shall for brevity sake acquaint you with one memorable general instance, discovering what swarms of Jesuites are now amongst us, under other visors. An English Protestant Nobleman (a person of honor) whose Ancestors were Papists, being courteously entertained within these two years at Rome by some eminent Jesuits, in their chief Colledge there, was brought by them into a Gallery having Chambers round about it, with Titles over every door for several Kingdoms, and amongst the rest, one for ENGLAND. Upon which, he enquiring of the Jesuits, what these titles signified; was answered by them, That they were the Chambers of the Provincial Jesuits, of each Kingdom and Province (written over the respective doors) wherein they had any members of their

(c) A Collection of Ordinances, &c. p. 831, 832, 833, 851, 852, 853, 869.

(d) Hidden Works of Darkness, &c. p. 252, 253, 254.

(e) See the Letter in the Appendix to my Speech in Parliament, &c. Relation of the Armies Proceedings against the Members: The II. Part of the History of Independency.

*Society now residing, who received all Letters of intelligence from their Agents in those places every week, and gave account of the to the General of their Order. That the Provincial for England, lodged in the Chamber over which the title ENGLAND was written, who could shew him the last news from England: which he desiring to see, they thereupon knocked at the door, which was presently opened: the Provincial being informed who & what the Lord was, read the last news from England to them. Hereupon the Nobleman demanded of them. Whether any of their Society were now in England? & how they could stay with safety, or support themselves there, seeing most of the English Nobility, Gentry, and Families that were Papists, were ruined in their estates, or sequestred by the late Wars & troubles, so as they could neither harbour, conceal nor maintain them, as they had done heretofore? They answered, It was true; but the greater the dangers and difficulties of those of their Society now in England were, the greater was their merit. And, that they had then above fifteen hundred of their Society in England, able to work in several Professions & Trades, which they had there taken upon them, the better to support & secure themselves from being discovered; (who, together with some Popish Priests and Friars no doubt, upon diligent inquiry will appear to be the * chiefest Speakers, Quakers, Disputers, Seducers, Rulers in most separate Congregations, and the principle broachers of all New Opinions, Blasphemies, now abounding amongst us.) This Relation I have heard from the mouth of a Reverend Divine more than once; to whom this Noble Lord, upo his return into England not many Months since, seriously related the Premises, averring the truth of them upon his Honour. Yet for all this, since the stupendious pretended repeals and annihilations of the Oaths of Supremacy and Allegiance, & that of Abjuration of Popery (consented to by the late King in the Isle of Wight) purposely made for the better detection and prevention of Jesuites, and their treasonable forementioned practices against our Church, Kingdoms, Princes, Religion, Parliaments, and Government, by the wisdom and zeal of our best affected vigilant * Protestant Parliaments; I can neither hear nor read of any effectual means, endeavoured or prescribed by any in power, for the discovery of these Romish I-*

Nota,

* See the Quakers unmasked.

- * 1 Eliz. c. 1.
- 5 Eliz. c. 1.
- 3 Jac. c. 1, 2, 3,
- 5. 7 Jac. c. 6.

nizaries,

nizaries, or banishing, feretting, and keeping them out of England, where they have wrought so much mischief of late years, and whose utter ruine they attempt: nor any incouragement at all given to the Discoverers of their Plots and Persons; but many affronts and discouragements put upon them, and particularly on my self, lately mewed up close Prisoner, under strictest Guards in remotest Castles, near three years space (without * any Accusation, hearing or particular cause yet assigned or disclosed to me, though oft then and since demanded by me from my Imprisoners) whiles they all walked abroad at large, of purpose to hinder me from any discoveries of their practises by my Pen, where as they printed, vended publicly here in England above 30000 Popish Books of several kinds during my imprisonment, without the least restraint, to oppugne our Protestant established Religion (as * many of them do in terminis as most damnable Heresie) propagate the Jesuites Plots, and antichristian Romish Church and Religion amongst us, as you may read at large in the Stationers Beacon fired; which seasonable book, and Discovery of these Romish Emissaries books and plots, some * Officers of the Army, in their Beacon quenched, publicly traduced in print, as a New-Powder-Treason of the Presbyterian Party, to blow up the Army, and that pretended Parliament (of their own erection) which themselves soon after blew up and dissolved in good earnest, pleading for a free Toleration of such Popish Books, and all Religions, as agreeable to the Armies Engagements and Principles, to carry on their designs against our Religion and Laws. But most certain it is; there hath been of late years not only a General Council of Officers of the Army sitting many moneths together in Council, to * alter and new model all our ancient Laws and Statutes, in pursuance of Father Parsons design; but likewise two Conventicles of their own selection and election, sitting of late in the Parliament House at Westminster, assuming to themselves the Name, and far more than the Power, of the Parliament of the Commonwealth of England; together with the transcendent ambitious Title of The Supream Authority of the Nation, (in derogation of the Army Officers Supremacy, who sufficiently chastised them for this strange Usurpation)

* My Imp-
isoners have
lately profes-
sed to me, that
they knew
not the cause
why I was
thus close im-
prisoned.
* See Cause,
the Jesuites
Holy Court
printed in
Folio.

* T. P. the
new Faux is
first.

* See their
Declarations,
Proposals, and
printed Pa-
pers, 1647.
1648, 1649,
1652. & since
for that pur-
pose.

* Qui tam facile receptas & patrias leges cum novis aliis commutant, certe legum ipsarum auctoritatem debilitant atque cernunt. Nec enim tantum legis abrogatio proderit, quantum Magistratibus non obediendi mos obervit. Aristotele Polit. 1. 2. c. 6.

(s) And since this in a Printed Speech, Sept. 4 1654.

* Hath not the Army done this in our three Nations? See their own Chaplain Sedgewick, his Justice on the Armies Remonstrance 1648.

(t) The Monarchy of England hath been, 1. In the Britons, 2. in the Saxons, 3. in the Danes, 4. in the Normans Royal Line, & now the 5. must be elective in others. (v) De Monarchia Hisp. c. 25. See the Epistle to my Jus Patronatus. (x) Art. 1, 2, 12, 25, 32, 33, 41, 42.

who have made it their chief business, not only to New-model our ancient Fundamental Government, Parliaments, Ministry, Ministers maintenance, by Glebes, Tithes, and our Universities, much according to Parsons and his Fellow Jesuites forementioned Plat-formes, and Thomas Campanella his Instructions to the King of Spain, De Monarchia Hisp. c. 25. but likewise to New-mould, subvert, eradicate the whole Body of our * municipal Laws, and with them the great Charter of our Liberties it self. And in their last cashiered, unelected Convention, (as some of their Companions, now in greatest Power assure us, in their (s) True State of the Case of the Commonwealth of England, &c. London, 1654. p. 15, 16, 17, 18.) there was a strong prevailing party whom nothing would satisfie, but A Total Eradicatton of the whole body of the good old Laws of England (the Guardians of our Lives and Fortunes) to the utter subversion of civil Right and Propriety; who likewise took up in them (by vertue of a supposed right of Saintship in themselves) to lay the foundation of a new Plat-form, which was to go under the Name of A Fifth Monarchy, never to have an end, but To * war with all other powers and break them to pieces, baptizing all their profelites into this Principle and perswasion; that the Powers formerly in being, were branches of the (t) Fourth Monarchy (of England, Scotland, and Ireland) which must be rooted up and destroyed. And what other Fifth Monarchy this could be, but that projected universal Monarchy of the Jesuites, which would bring the whole Monarchy of Great Britain and Ireland, together with France, Spain, and all other Princes, States in Christendome under the Jesuites subjection, and break all other powers in pieces; mentioned by Watson, in his Quodlibets p. 306, to 333. and Alphonsus de Vargas, Relatio de Stratagematis & Sophismatis Politicis societatis Iesu, Ad Monarchiam orbis terrarum sibi conficiendam c. 8. &c.) or else, that Elective New Monarchy of Great Britain and Ireland, projected by (v) Campanella and Cardinal Richelieu, which some Grandees now endeavour by their Instrument to erect and perpetuate for ever (x) without alteration in themselves

and their Successors, (though they thus expressly brand it in others;) let themselves, and wise men resolve? it being apparent, by the practises and proceedings of all the Propugners of this new Project, that this *Fifth Monarchy* they intend to erect, is neither the *Spiritual* * *Kingdom of Jesus Christ in their own hearts*, mortifying their ambition, covetousness, pride, self-seeking, unrighteousness, violence, rapines, & other worldly lusts; nor the *personal reign* of Christ himself alone, in and over our 3 Kingdoms, and all other Nations for ever, * *depriving all Temporal Kings and Princes of their Crowns, Rights, and Government over their Subjects*; which they falsely endeavour to evince from *Dan. 2. 44, 45, c. 7. 14, 27. Micah 4. 1, 2, 7. Luke 1. 32, 33. Rev. 20. 1. to 8. 1 Cor. 15. 24, 25. Heb. 12. 26, 27, 28.* but a meer supream, arbitrary, temporal Authority without Bounds or Limits, encroached by and erected in themselves and their confederates, without any colour of Right or Title by the Laws of God or the Realm, and no ways intended, but refused by all these sacred Scriptures, & others, which explain them. This design of the Jesuites, to *alter and subvert the whole body of our Laws*, was so far promoted by the Jesuitical and Anabaptistical party in this last Assembly, (elected only by the (1) *Army-Officers*,) that on *Aug. 20. 1653*, (as our News-books print,) they Ordered, there should be a Committee selected, to consider of a *New Body of the Law*, for the Government of this Commonwealth, who were to *re-mould the whole Body of the Law*; according to Parsons his mould. And hereupon our cheating Astrologers (especially *Lilly & Culpeper*, the (2) *Jesuites* grand Factors to cry down our *Laws, Fishes, Ministers*) from the meer visible earthly Conjunctions, Votes, Motions, Influences of these New wandering excentrick Planets at Westminster only, (not of any Celestial Stars, as they would make Country-Clowns believe, alwayes moving and acting themselves by an *unalterable Law* from the very Creation until now, *Gen. 1. 14. to 19. c. 8. 22. Psal. 104. 19. Psal. 136. 8. 9. Jer. 31. 35, 36. c. 33. 20, 21. Job 38. 31, 33.* therefore no ways exciting men to alter Fundamental Laws and Governments here on earth) took upon them in their (a) *Astonishly Prognostications* for this year 1654. *est accipies. Claudius I. 1. in Matth. (y) A True State, &c. p. 13. (z) See Tho; Campanella, de Monarch. Hils. c. 23, 25, 27. (a) See their Almanacks in January, February, September, October, December, 1654.*

* Luke 17. 21.
Rom. 14. 17.
2 Pet. 1. 11.
Col. 1. 13.
Heb. 12. 28.
Rev. 12. 10.
* *Non abripit
mortalia, qui
Regna dat coe-
lestia. Sedu-
lius in hym-
no acrafi: de
vita Christi.
Rex iste qui na-
tus est non ve-
nit Reges pug-
nando superare,
sed moriendo
mirabiliter sub-
jugare. Venit
enim non ut
regnet vivus,
sed ut trium-
phet occisus;
nec ut de aliis
gentibus auo-
cercitum qua-
rat, sed pro
salvandis Gen-
tibus pretiosum
sanguinem fun-
dat. Hujus
pueri regnum
non est de hoc
mundo; sed per
ipsum regnabit
in hoc mundo.
Ipse est enim
Sapientia Dei,
que dicit in
Proverbiis, Per
me Reges reg-
nant. Tu enim
regnum nulla-
tenus habuisses,
nisi ab isto puero
qui nunc natus*

(b) See *Sixtus ab Hemminga Astrologus Refutatus*. Fräncus Officius de diu. Astrologum facultate, in-larv. 12 astrologiam. Corn. Sceppinus contra Astrologos. Alexandre de Angeb. in Astrologos, Hierom Savanorola adversus Divinatricem Astro-nomiam: & Apologeticus pro tractatu ejus adversus Astrologos, 1581. Picus Mirandula contra Astrologos. Purchas Pilgrimage, p. 12; 13, 64. Mr. Galtakers vindication of his Annotations on Jer. 10. 2. London, 1653. *Sixtus Senensis Bibl. sanct. p. 56, 331, 424, 10429.*

* *Accidere potest, ut publicæ utilitatis simulatione & specie LEGES à nonnullis & Civitates evellantur.* Arist. Polit. l. 2. c. 6.

* In his Victory of Truth. 1654.

(c) *Quodlib. 5. Art. 4. p. 144.*

almost in every Month to predict, the pulling down of the Laws of the Nation, and of Lawyers to the ground: the calling of the great Charter it self into question, with other Liberties, as not suiting with English mens brains at this time. The plucking up the Crabtree of the Law by the Roots, to hinder the future growing of it: there being no reason we should now be governed by the Norman Laws, since the Norman Race is taken away by the same Instrument (the Sword) that brought in in: and the like. But these Predicters of our Laws and Lawyers downfalls, could neither foresee nor predict the suddain downfal of these lawless earthly Westminster Planets from the Firmament of their new-created Power; who should effect it by their influences. Wherefore, though I look upon these and all other their Astrological predictions, as (b) meer Figments, Cheats, and Impositions, in relation to the Cœlestial Planets, (as are their 12 Signs and Houses of the Heavens, whereon all or most of their artless Art and Predictions are grounded;) Yet I cannot but take notice of them, as clear Discoveries of a strange Jesuitical & Anabaptistical Combination of a predominant party amongst us, to carry on this ancient Plot of the Jesuits related by Watson, against the great Charter of our Liberties, and the whole body of our Laws. And truly, when I seriously consider the late great dangerous, destructive Revolutions, *Changes both of our Government, Parliaments, Laws, and the manifold extravagant publick Innovations, changes, proceedings, originally contrived by the Iesuits, but visibly acted, avowed, by Anabaptists, Independents, and some Pseudo-Presbyterians in the Army, and elsewhere, formerly reputed Puritans, and now so stiled by *Militiere; it puts me in mind of 3 memorable propheticall Passages of William Watson in his *Quodlibets*, printed 52 years since (An. 1602.) which I have frequently thought on of late years, as now experimentally accomplished; I shall beseech our late and present Grandees, and New State-Mint-Masters seriously to consider them; which I shall here relate in his very printed words.

I. (c) I make no question of it, if the Iesuits prevail in England, they intend, and will turn all things topsy-turvie, upside down: Cing shall up, Size shall under. In Parsons High Counsel of Reformation. All the whole State must be changed: and the Lands and Seignories of Clergy and Nobility, Universities,

sities, Colledges, and what not, must be altered, abridged, and taken away. And is not all this visibly effected already for the most part; and the rest projected, and ne'er accomplished?

2. (d) I verily think, that all the Puritans will joyn wholly with the Jesuites at length, (how far off soever they seem to be, and are yet in external profession of Religion) there being at least half an hundred Principles, and odd Tricks concerning Government, Authority, Tyranny, Popularity, Conspiracy, &c. which they jump as just together in, as if both were made of one mould. And is not this really verified (though not by the old loyal English Puritans) yet at least by sundry * Puritan Anabaptists, Independents, some temporizing Presbyterians, and by many Army-Officers, Souldiers, (in late or present Power) if they will but compare their last six years actions with the Jesuites? which hath given great advantages to our Romish Adversaries to draw more Proselytes to their Religion. O let them consider it seriously in the fear of God, and lament it with the greatest grief of heart!

(d) Quodlibet 6. Art. 4. p. 169. see p. 27. 28.

* See Militiere his V. Story of Truth, dedicated to the King of Great Britain, to invite him to embrace the Roman-Catholic Faith, 1654.

3. (e) The Jesuites without all question, are more dangerous, pernicious and noysom, to the Commonwealth of England and Scotland, than the Puritans; as having more singular fine wits amongst them, and many learned men on their side; Whereas the Puritans have none but Grossum Caputs: they, many Gentiles, Nobles, & some Princes to side with them: the Puritans but few of the first; rare, to have any of the second; and none at all (unless it be one) of the last on their side. And so by consequent, If matters come to hearing, hammering and handling betwixt the Jesuites and Puritans; The latter are sure to be ridden like Fools, and come to wrack. And whether they have not been ridden, outwitted, wracked by the Jesuits plots, wits, wiles, instruments both in their late Councils, Innovations of Government, forcible dissolutions, subversions of Parliaments, Laws, Liberties, Anomalous Proceedings, Designs, let our late dis-housed, dismounted Puritan Grandes and S. Attizers of all sorts, (especially Presbyterians) determine at their leisure; and let those in present Power take heed, they be not ridden by them too like fools, as well as their Predecessors, yea, wracked by them at the last when they have served those turns for which they set them up on horse-back, for to ride to death our Kings, Parliaments, Kingdoms, and utterly consume, devour them, with our remaining Ministers Tithes, Glebes Uni-

(e) Quodlibet 2. Art. I. p. 26, 27.

Notus

versity & College Lands by Monthly endless Taxes, Excises, & a perpetual *Law, Tith-oppressing*, Parliament-dissolving Army, in whose Councils, we have cause to fear, the *Jesuites* have been most predominant of late years, and will still make use of them to our final ruine, if not effectually purged out, and the *Army* new moulded, new principled, if any longer continued under pretext of publick safety, and not wholly disbanded for the peoples ease and Liberty.

(a) *De Monarchia Hispanica*
d. 25. p. 204,
&c.

It is worthy observation, that *Tho. Campanella* (a) prescribed the sowing, and continual nourishing of *Divisions, Dissensions, Discords, Sects and Schisms among us*, both in State and Church (by the *Machivilian Plots and Policies* he suggests, punctually prosecuted among us of late years) as the principal means to weaken, ruine both our Nation and Religion, and bring us under the Spanish and Popish yokes at last: witness his, *I AM VERO AD ENERVANDOS ANGLOS NIHIL TAM CONDUKIT QUAM DISSENTIO ET DISCORDIA INTER ILLOS EXCITATA PERPETUOQUE NUTRITA, Quod cito meliores occasiones suppeditabit*: and that principally, by instigating the *Nobles and chief Men of the Parliament of England*: *UT ANGLIAM IN FORMAM REIPUBLICÆ EDUCANT AD IMITATIONEM HOLLANDORVM*: which our Republicans lately did by the power of the Army-Officers; or, by sowing the seeds of an inexplicable war, between England and Scotland; By making it an Elective Kingdom, (as some now endeavour under another Notion,) or by setting up Other Kings of another Race, without Legal Right, or just Title, against that ancient, unquestioned, undoubted Right and Title settled, established in King James and his Royal Posterity by Inherent Birthright, and lawfull right of Descent by* God himself and his Laws, confirmed & strength-

Sec 25 H. 8.
A. 22. 31 H. 8.
1. 4. 37 H. 8.
17. 1. Lhz.
8. 3.
ned by all possible Titles and Rights of compact, Laws, Statutes, Oaths, perpetual uncontradicted customs, Protestations, Covenants, the solemn Publick Faith and Engagement of our English Parliaments & Nation, for themselves, Their Heirs & Posterities for ever, as the Statutes of 1 Jacobi c. 1. 2, 3, 14. c. 1. 4, 7. 14. c. 6. which both houses of Parliament in their Declaration of Nov. 2. 1642. *Exact Collect.* p. 705 resolve. And that, upon this suggestion to the People; *Crudelem sive SCOTUM ubi semel Imperium in illos obtraherit, sententem alta*

mente repositum, quanta injuria Angli Scotos superioribus illis annis afficerint. Præterea suspicionem eis incutiat, fore ut Jacobus CÆDEM MATERNAM VINDICATURUS SIT, &c. Exasperandi sunt etiam animi Episcoporum (Presbyterorum) Anglicorum proponendo illis REGEM SCOTIÆ Calvinismum amplexum esse SPE & CUPIDITATE REGNI, ADAC-TUMQUE VI, A BARONIBUS HÆRETICIS; quod si vero Regnum Angliæ etiam obtineat, TVM ILLVM CITO PRIOR-REM RELIGIONEM REVOCATURUM ESSE : quando- quidem non solum MARIA EJVS MATER moriens, virum etiā REX IPSE GALLIARVM SVMMOPORE EI RELI- GIONEM CATHOLICAM COMMENDARINT, &c. yet now transcribed almost verbatim out of * Thomas Campanella, (who suggested it against King James to alienate the English from him, & keep him from the Crown) & very freshly by the Authors of, *The True state of the Case of the Commonwealth, &c.* p. 48, 49. objected against the present King of Scots and royal Issue, to deprive him and them from the Crowne of Eng- land, and engage the whole English Nation against their Title, to vest it in some other Family in greatest power.) Or if these projects should fail, then by dividing us into many Kingdoms or Republicks, distinct one from another; and by sowing the seeds of Schisms, and making alterations and innovations in all Arts, Sciences, and our Religion. The old Plots of (b) Campanella, (c) Parsons, and late designs of (d) Cardinal Richelieu, of the Pope, Spaniard, Jesuites, to undo, subvert our Protestant Church- es, Kings, Kingdoms and Religion, as the marginal Authors irre- fragably evidence: yet all visibly set on foot, yea, openly pursu- ed, and in a great measure accomplished by some late, nay pre- sent Grandees and Army-Officers, who cry up themselves for our greatest Patrons, Preservers, Deliverers, and Anti-Jesuits, when they have rather been but the * Jesuites, Popes, Spani- ards and other Forraign enemies instruments and factors, in all the late changes, new-models of our Government, Parliaments, & pretended reformatiōns of our laws and Religion, through inad- vertency, circumvention, or self-ended respects, as many wise and godly men justly fear. For prevention whereof, I shall recommend to the whole Kingdoms serious consideration, the memorable Preamble of the Statute of 25 H. 8. c. 22. disco- vering the like Plots of the Pope and our Forraign Enemies to ruine us in former ages; and the principal remedy they pre- scri-

* De Monarchia Hispan. c. 25.

(b) De Monarchia Hispan. c. 25.

(c) Seen at fons Quodlibets, p. 286. to 332. A Dialogue between a secular Priest and Lay Gentleman, printed at Rhemes, 1601.

p. 93, 94, 95.

(d) Conte de Galeazzo Gualdo Priorato, Hist. part. 3. Venetiis 1648.

p. 175, 176.

* Et quidem quid refert mulieres (& Jesuitæ) præsit an hi qui præ- sunt mulieribus obediunt? Arist. Polit. l. 2. c. 7.

scribed, to prevent them for the future, in these ensuing words. In their most humble wise shewen unto your Majesty, Your most humble and obedient Subjects, the Lords Spiritual and Temporal, and the Commons in this present Parliament assembled: that since it is the natural inclination of every man, gladly and willingly to provide for the surety, both of his Title and Succession, although it touch his only private cause: We therefore, most rightfull and dreadful Sovereign Lord, reckon our selves much more bounden, so beseech and instant your Highness, although we doubt not of your Princely heart and wisdom, mixed with a natural affection to the same, to foresee and provide for the perfect surety of both you and of your most lawfull Succession and heirs, upon which dependeth all our joy & wealth; in whom also is united and knit, the only meer true inheritance and title of this Realm, without any contradiction: Wherefore, we your said most humble and obedient Subjects in this present Parliament assembled, calling to our mind the great divisions, which in times past have been in this Realm, by reason of several Titles pretended to the Imperial Crown of the same; which sometimes, and for the most part, ensued by occasion of ambiguity and doubts, then not so perfectly declared, but that men might upon froward intents expound them to every mans sinister appetite and affection, after their sence, contrary to the right Legality of the Succession and Posterity of the lawfull Kings & Emperors of this Realm, whereof hath ensued great effusion & destruction of Mans blood, as well of a great number of the Nobles, as of other Subjects, and specially Inheritors in the same. And the greatest occasion hath been, because no perfect & substantial provision by law hath bin made within this realm it self, when doubts and questions have been moved, & proponed of the certainty & legality of the Succession & posterity of the Crown. By reason whereof, The Bishop of Rome, & See Apostolick, contrary to the great and inviolable grants of Jurisdictions By God immediatly to Emperours, Kings & Princes in succession to their heirs, hath presumed in time past, to invest who should please them to inherit in other mens Kingdoms & Dominions; which thing, we your most humble Subjects, both Spiritual and Temporal, do most abhor & detest: And sometimes other forraign Princes and Potentates of sundry degrees, minding rather dissention & discord to continue in the realm, to th' utter desolatio thereof, then charity, equity, or unity, ha

Nota.

Nota.

Nota.

many times supported wrong titles, whereby they might easily & easily aspire to the Superiority of the same, the continuance & sufferance whereof deeply considered & pondered, were too dangerous and perillous to be suffered any longer within this Realm, & too much contrary to the unity, peace and tranquillity of the same, being greatly reproachful and dishonourable to the whole Realm. In consideration whereof, your said most humble and obedient Subjects, the Nobles and Commons of this Realm, calling further to their remembrance, that the good, unity, peace, and wealth of this Realm, and the succession of the Subjects of the same, most specially & principally above all worldly things, consisteth and resteth in the certainty and surety of the procreation, & posterity of your Highness, in whose most royal person at this present time, is no manner of doubt or question, Do therefore most humbly beseech your Highness, &c. to declare the establishment of the succession of your royal posterity in the Imperial Crowns of this realm: as he and they did by this & other succeeding acts of Parl. & in 1 Eliz. c. 3. & 1 Jac. c. 1. to prevent the like civil wars and mischiefs for succeeding ages, now revived, promoted by the Pope, Jesuits, & Foreign Popish Princes to work our ruine.

Certainly, whosoever shall seriously ponder the premises, with these passages in William Watsons Quodlibets concerning the Jesuits, (e) 1. That some of the Jesuits society have insinuated themselves into all the Princes Courts of Christendom, where some of their Intelligencers reside, and set up a secret counsel, of purpose to receive and give intelligence to their General at Rome, of the secrets of their Sovereigns, and of all occurrents in those parts of the world, which they dispatch to and fro by such cyphers, which are to themselves best, but commonly only to themselves known, so that nothing is done in England, but it is known at Rome within a month after at least, & reply made back as occasion is offered, to the consequent overthrow of their own natural Country of England, and their native Princes and Realms, by their unnatural Treasons against them; that so the Jesuits might be those long gowns, which should reign and govern the Island of Great Britain. To which I shall add that of Rob: Turner an English Jesuit, in his Epistles printed at Ingolstadt, An. 1584. Ep. 19. Volui irrepere, volui irrumpere in intimas Aulas Principum; volui videre omnia, ut ad justitiam normam preclare exigerem. Vix cepi obire Principum Aulas, cum viderim Hæreticorum illum Mundum ADMINISTRARI A STULTIS, &c. with that of Hospinian, Historia Jeuitica l. 2. p. 148. That the Jesuits are so subtil, vigilant, bold, laborious, and indued with such a faculty of flattery, insinuation, acting and hurting in Princes Courts, that they exactly discover, know, and fish out all their secrets, (which they reveal to their Superiors, the Pope and Spaniard) and alone rule all things in them: so that the Courts of Europe are more grievously infected & afflicted by the Jesuites, than the Court of Pharaoh was of old by the Egyptian Frogs. And may we not then justly fear our new Court hath been as much pestered and infected by them of late years, as our old Court heretofore?

Nota.

Nota.

(f) Quodlibets p. 39. 209, 233, 234, 305, 306.

(f) That the Jesuites have and endeavour to have England

and Ireland under them, to make these Northern Islands a Japonian Island of Jesuites, and one Jesuitical Monarchy; and to incoffess themselves by hook or by crook In the whole imperial Dominions of great Britain with the remainder over To their Corporation, or punit-Fathers succeeding them, as heirs specially in their society, by a state of perpetuity: Putting all the whole Blood Royal of England to the Formidon, As but Heirs general in one Predicament together, as now they have done.

(g) Quodlibets 3. (g) That the jesuites have Magistracy, Kings, Magistrates, Ministers, p. 11, 12, 14, Priesthood, and Priests in high contempt; publishing many slanderous, seditious, 16, 17, 42, 45, traiterous, and infamous speeches, libels, and books against them, to render 50, 283, 285, them odious and contemptible to the People, full of Plots, exasperations &c, 332, 333. gainst the Church and Commonwealth, like rebellious Traytors, to bring all in- A Dialogue to an uproar, that they may have all Countries, Kingdoms, Governments, Successions, States, Inhabitants, and all at their pleasure.

a Lay Gentleman, An. 1601. 4. That the (h) Jesuites have taught the people (in order to get England under their power, and in order to God or Religion, as they stile it,) That Subjects are bound no longer to obey wicked or heretical Princes and Kings de-

(h) Quodlibets p. 295 to 313 61, 286, 287, reflecting from the Catholick Religion, and drawing others with them, but till they be able by force of arms to resist and depose them. That the popular multitude may upon these grounds, when they think meet, place and displace their Princes and chief Officers at their pleasure, as men may do their Tenants at will, hirelings, or ordinary Servants, putting no difference in their choice Upon any Right or Title to Crowns or Kingdome, by Birth or Blood or otherwise, then as these Fathers (forsooth) shall approve it, By this all things must be wrought and fram'd, conformable to opportunities of times and occasions; as for example: The people must have a right and interest in them, and to doe what they list in choice of their Kings and Supream Governours, til they have set such a person or usurper in the Crown, as they for their ends have designed; and then the times and occasions changing, when such a one is seited in the Throne, the former doctrine and practises must be holden FOR A MISTAKING; yet such, as seeing it cannot be holpen, the people must beware hereafter of attempting the like again. By this a check must be given to the publishers of such paradoxes, (when they have accomplished their designed ends,) after that a dispensation procured for the Offenders, and then all shall be well ever after; till a new opportunity for their further advantage.

* See I. E. his Treatise of the Right and Jurisdiction of the Pielat & Prince, printed 1616. & re-printed 1621, by the Jesuits.

(i) Quodlibets p. 26.

5. That the (i) Jesuits by absurd equivocations, counterfeited perjuries, Sacrileges, and consenage, become all things to all men, that they may gain all; as to be Seminary Priests amongst Seminaries; Secular Priests, among Seculars; Religious men, among Religious; Seditious men among Seditious, Factions Spaniards amongst Spaniards; ENGLISH TRAYTORS AMONG TRAYTORS; SCOTISH VILAINS, AMONG SCOTS, &c. and amongst all these, to deny and affirm, to object and answer, to swear and forswear, whatsoever may be a gain to them, for their pragmatial Commonwealth and society. No wonder then, if they transform themselves into all shapes, and take upon them all professions now amongst us.

(k) Quodlibets 6. That the (k) Jesuits by their devices and practises, have brought all to Machiavels rule, DIVIDE ET IMPERA, in sowing division, breeding of jealousies, and making of hostile strife, by opposition of King against King, State

children, children against parents, sisters against brothers, servants against masters, wives against husbands, husbands against wives, and one friend against another, raising up rebellions, MVRDRING OF PRINCES, making uproars every where, until they make those they cannot otherwise winne unto them, either yield to be their vassals to live quiet by them, or force them to flight, or drive them out of their wits, or otherwise plague them to death.

7. That the (l) Jesuits by their cursed positions, and machia- villian practises, have made religion it self a meer political and atheal device; a pragmatistical science of Figboys, and but an art of such as live by their wits, and the principles of Machiavel taught by their Rabbles; yea, a very hotch potch of omnium gatherum, religious, secular, clerigical, laical, ecclesiastical, spiritual, temporal, MARTIAL, civil, Acomenical, political, liberal, mechnanical, municipal, irregular, and ALL WITHOVT ORDER; so that they are not worthy to be called religious, ecclesiasticks, catholicks, nor temporal mechnanical Christians; but rather Machiavillians, Atheists, Apostates; their course of life shewing what their study is; and that howsoever they boast of their perfections, holiness, meditations and exercises, (as if they were all Superlatives, all Metaphysicians, all entia transcendentia) yet their platform is heathenish, tyrannical, sathannical, able to set Aretine, Lucian, Machiavel yea, and Don Lucifer, in a sort to school.

Thole, I say, who shall sadly ponder all these premises, and compare them with the late practises, policies and proceedings of some swaying politicians of our age (infected likewise with this Atheistical State-Maxime, amongst others derived from the Jesuits, and Machiavillian Spanish State-Counsellors:) In Reipublica administratione, quadam LICITA ESSE RATIONE STATVS, alia respectu Conscientia: which * Thomas Campanella (as bad as he is) not only severely censures, but thus declaims against with highest detestation, Quia opinione profecto N HIL MAGIS ABSVRDVM AVT IMPIVM ne excogitari quidem potest: Nam qui conscientia universalem suam jurisdictionem in omnes res humanas TAM PVBLICAS QVAM PRIVATAS,

(l) Quodlibets
p. 43. 61, 62,
64. 16.

* De Monarchia Hispan. c. 32.
p. 297, 298.

*Subtrahit, ostendit, SE NEC CONSCIENTIAM, NEC DE-
VM HABERE, &c. Siquidem omnia scandala Ecclesia Dei,
& PERTVRBATIONES ORBIS TERRARVM, INDE
ORTA SVNT :* that men may do against all Laws of God
and Man, their own Consciences, Trusts, Oaths, out of a
pretext of the benefit, safety of the State, & publick good, as
most now do; Or, compare thē with the constitution of our
Church, State, Religion, publick affairs, must needs acknow-
ledg, that these pragmatikall Iesuits have bin very active, pre-
valent, powerful, successfull, and not only *militant* but *tri-
umphant*, of late years amongst us, under some disguise or
other: that they have dangerously poysoned us with these
their *Machiavillian* and *Atheal* policies, practises, positions,
and have more real *Disciples*, *Factors*, if not *Tutors*, now a-
mongst us, then in any former ages: And is it not high time
then to endeavour to detect their persons, and prevent their
dangerous designs upon us, with greatest care and diligence?
Truly though most others be negligent and fearfull here-
in, yet that text of *Ezek. 2. 6, 7. And thou son of man, be
not afraid of them. neither be afraid of their words, though
bryars and thorns be with thee, and thou dost dwell among
scorpions, be not afraid of their words, nor be dismayed at their
looks, though they be a rebellious house. And thou shalt speak
my words unto them, whether they will hear, or whether they
will forbear, for they are most REBELLIOUS;* hath anima-
ted me to exonerate my conscience herein, and to say
with the prophet, *Isai. 62. 1. For Zions (Englands) sake
I will not hold my peace, and for Ierusalem sake I will not
rest, until the righteousness thereof go forth as brightness,
and the salvation thereof as a Lamp that burneth.* Wherefore,

Upon serious consideration of all these Premises, and of
all those Sacred Solemn Oaths, that *Protestation, Vow, League,
and National Covenant*, which I have formerly taken (lying
still as so many) (f) *indissoluble Obligations* on my Soul,
notwithstanding the *ingrate, malicious, unchristian Requi-
tals* of all my former *unmercenary services, sufferings for Re-
ligion, Laws, Liberties, and the publike, in times of greatest
Danger, recompenced only with long causeless, close impris-
son-*

(f) Josh. 9.
19, 20. & Psal.
89. 34. Psal.
15. 4. Heb. 6.
17, 18.

sonments, injuries, affronts, losses of all kinds, by pretended friends and Patrons of our Liberties, as well as by protested canseless Enemies. And notwithstanding all other Discouragements from the general baseness, cowardise, Sortishness, slavishness, degenerated Spirits of the whole Nation, and their strange fearfulness even publicly to own, much less cordially, to assist, defend, (according to the sixth Article of the Covenant) those few courageous Patrons who have hazarded their Lives, Liberties, Limbs, Estates, and all earthly comforts for the publique defence of our Religion, the Laws, Liberties, Priviledges of our Kingdom, Church, Parliament, against the old and late avowed subverters of them, whole very (g) Company, visits the generality of their former friends and acquaintance have declined, (as if they had some plague sores on them;) not only during their late restraints, but likewise since their enlargements out of them, (enough to perswade them never to write, speak, act, or suffer any thing more, for such ingrate, unworthy Creatures, but rather to put their helping hands, to make them and their Posterities slaves for ever.) I have yet once more, out of pure zeal, love, conscience towards my native Country, adventured my life, liberty, and decayed estate, (considering the lawlessness and Danger of the times, not the justice and goodness of the Common Cause, I plead) for the necessary defence of the Fundamental Liberties, Franchises, Lawes, Rights, Parliaments, Priviledges, and Government of our enslaved Nation, (though every way * unworthy to be beloved by God, or men of noble spirits) in this Seasonable, Legal, Historical Vindication and Collection; wherein I have with all boldness, faithfulness, without the least fear or flattery of any Mortals or created powers whatsoever, argued, evinced, maintained my own particular, with the whole Nations publique right and inheritance in them, (of which few or none take any care, but only of their own private gains, ease, safety, though with the † Publike ruine) and endeavoured (as much as in me lies) to preserve

(g) When our Saviour himself was apprehended, carried away prisoner, and like to be crucified, all his Disciples forsook him, and fled, and Peter denied him with an oath, Mat. 26. 56. 70. to 75. And at Pauls first appearance before Nero, no man stood with him, but all men forsook him, I pray God it be not laid to their charge, 2 Tim. 4. 9. 16. And so it is now with most publike sufferers.

* Zeph. 2. 1.
† unusquisque majorem temporis sui partem in rebus privatis curandis ponit, & Rempublicam nihil detrimenti ex hac suanegligentia capere posse putat, sed & aliquam alium esse existimat qui Rempublicam curet, cique pro seipso perspicat. Ita eadem omnium privatorum opinionione universam Rempublicam perdit, non animadvertit. Thucidides Hist. l. 1. pag. 110.

them and our Religion from the several Jesuitical plots, counsels, specified in the whole Commons House Remonstrance of 15 December 1641. *Exact Collection*, p. 3. to 14. of late years revived, and more vigorously pursued than ever, and to rescue them out of the Claws of Tyranny, and all usurping arbitrary powers, which have avowedly encroached on, yea trampled them under feet of late, more than ever the worst of all our Monarchs, or beheaded King did, though declaimed against, as the greatest of Tyrants by some who have transcended him in his worst Regal Exorbitances; and particularly in this, which the Lords and Commons in Parliament, in their * Declaration of Aug. 4. 1642. thus grievously complained of, and objected against the Kings ill Counsellors, 'That the LAWS, were no protection or 'defence of any mans right, all was subject to will and 'power, which imposed WHAT PAYMENTS THEY 'THOUGHT FIT, to drain the Subjects purses, and 'supply THOSE NECESSITIES, which their ill counsel 'had brought upon the King, and gratify such as were instrumental in promoting most ILLEGAL and OPRESSIVE COURSES. Those who yielded and complied 'were countenanced and advanced, all others disgraced and kept under, (and are they not so now, as much as then?) that to their minds made poor and base, (as they were never so poor and base as now) 'and THEIR LIBERTIES lost and gone (as they were never so much as now) 'they might 'be ready to * LET GO THEIR RELIGION whensoever 'it should be resolved to alter it, which was, and still is, 'the GREAT DESIGN, and all the rest made use of as instrumental and subservient to it. Upon which consideration they thus concluded that Declaration, 'Therefore we the Lords and Commons are resolved, to expose our lives 'and fortunes for the defence and maintenance of the true 'Religion, the Kings person, honor and estate, the power 'and privilege of Parliament, the just rights and liberty of 'the Subject, And we do hereby require all those who 'have any sense of piety, honor or compassion, To HELP 'A DISTRESSED STATE, especially SUCH WHO HAVE

* *Exact Coll.*
p. 492. 497.
494.

* Are they not
now more
ready to let it
go, than e-
ver? & have
not thousands
done it?

‘HAVE TAKEN THE PROTESTATION, and are
‘bound in the same duty with us unto their God, their King
‘and Country, to come in to their aid and assistance.

That which hath not a little encouraged me hereunto, is
not only this their publick call, but likewise this memora-
ble passage, *viz*, protestation of the Lords and Commons as-
sembled in Parliament, in their printed (h) Declaration in
answer to his Majesties of October 23. 1642. Which I fear
most of them since in power have quite forgotten; and
therefore I beseech them now seriously to remember it.

*Though we know very well, there are too many of the Gentry
of this Kingdom, who to satisfy the LVSTS OF THEIR
OWN AMBITION, are content, like Esau, TO SELL
THEIR BIRTH-RIGHT, AND CARE NOT TO SUB-
MIT THEMSELVES TO ANY ARBITRARY AND
UNLIMITED GOVERNMENT, so they may FOR
THEIR OWN TIME PARTAKE OF THAT POW-*

Nota.

*ER, to trample and insult over others: (And have not,
are not some of these declarers and censures such them-
selves?) ‘yet we are assured, that there are of the Gen-
try many worthy and true hearted Patriots, (but where
‘are those many now?) who are ready to lay down their
‘lives and fortunes, and of late have given ample testi-
‘mony thereof, for maintenance of their Lawes, Liberties,
‘and Religion; and with them and others of their resolu-
‘tion we shall be ready to live and die. (But how many
of these Declarers have made good this publike engage-
ment? yea, have not some of them been, and still are
more ready to secure, seclude, disoffice, imprison, kill, slay
any such true-hearted Patrons, as I have felt by sad ex-
perience, than to live and die with them?) ‘And we must own*

*‘it as our duty, to use our best endeavors, that the meanest
‘of the Commonalty may enjoy their own Birth-rights,
‘Freedom and Liberty of the Laws of the Land, being
‘equally entituled thereto with the greatest Subject. I*

** Nota.*

*trust therefore the greatest Grantees in late or present
power, neither will nor can be offended with me, and that
all the Nobility, Gentry, Commons, and true-hearted Pa-
trons*

trons in the Nation, who bear any love to the Laws, Liberties, Freedom of the people, for which their Ancestors and they have so long, so stoutly contended heretofore, and lately with our Kings; *will live and die with me* in this their *Vindication* and *Defence*, against any of their fellow-Subjects, who shall endeavor to subvert or deprive them of the full and free enjoyment of all or any of them, according to this Engagement and Declaration: Wherein there are these further observable passages, relating to the Parliaments priviledges and its Members, which I desire our *Army-Grandeers*, who impeached, secured, secluded my self with other Members of the last true Parliament, levied war against and forcibly dissolved it; with the Contrivers of our late New-Modelled Governments, would seriously ponder; who in common justice must be content to be as freely told of and reprehended for their ** frauds, faulhs* in print (where the publike and every mans private interest, Right, Liberty, Security, is concerned) as they have censured others, as well their Superiors, as Equalls, oft in print, though perchance *lesse peccant than th. mselves* (i) in that they object against them. (k) For the matter of his Majesties raising an Army against the Parliament (wherein many Papists, Priests, Jesuites were employed) and taking away the priviledge thereof, we shall refer it to the judgement of every ordinary capacity, whether it be void of sense to say, that this War is raised against the Parliament; But the truth is, that it is not a few persons, but the Parliament it self, is the thorn that lies in these mens sides, which, heretofore when it was wont to prick them, was with much ease (by a sudden dissolution) pulled out: But now that is more deeply fastned by the Act of Continuance, they would force it out by the power of an Army. (Hath not this been the very practise of some *Army-Grandeers* of late, here objected against the King Jesuitical and Popish ill Counsellors?) And whosoever will peruse the several Speeches and Declarations, made upon the breaking up of former Parliaments, since the beginning of his Majesties Reign, will find, the pretences of those unjust and illegal Dissolutions, to be groundd upon the exceptions

* *Fraudes promodū omnes atq. Injurie ab Ambitione & Avaritia profisciscuntur.* Arist. Polit. l. 2. c. 7.

(i) See the Armies old & new Declarations against the Parliam. & Members. Their True state of the Commonwealth &c. which, *mutato nomine*, is but a direct Arraignment of themselves under the name of others.

(k) Exact col. p. 652. 654. 655, &c.

exceptions against some particular Members, under the name
 of A few factious and seditious persons: so that the aspersing
 and wounding of the Parliament through the sides of a few
 Members, is no new invention: (And hath not this been the
 very Army-Officers practise, since the first year of their
 reign till now, to wound the last real Parliament; yea,
 their own late dissolved Mock Parliaments since, through
 the sides of a few corrupt Members, or a corrupt Majority
 in the House, as all their Printed (l) Declarations upon
 their dissolutions attest. And is this then no crime? or no
 Jesuitical practise in them, though such in the late (m) King
 and his ill Counsellors?) And for the satisfaction of all indiffe-
 rent men, that this War is raised against the Parliament, we
 shall refer them to former Declarations, issued out in His
 Majesties name, being so many invectives and groundlesse
 accusations, not against particular Members only, but against
 the Vote and proceedings of both Houses. (And are not
 many of the Armies Declarations in 1647. and 1648 yea,
 the late Pamphlet of some present Grandees, intituled,
 A True State of the Case of the Commonwealth of England,
 Printed 1654, Such? let them now then see whence
 they took their pattern, even from the beheaded Kings
 (n) Jesuited evil Counsellors, whose steps they exactly
 trace in this:) But if the truth were, as that Declaration
 seems to imply, That this Army is raised to force some (o)
 particular Members of this Parliament to be delivered up,
 yet upon that ground would it follow, that the same is levied
 against the Parliament. For it cannot be denied by any inge-
 nious man, but that the Parliament by their (p) inherent
 rights and privileges hath the power to judge and punish
 their own Members: [yet the Army Officers took upon
 them to secure, seclude them without Charge, and their
 future New-minted Parliament Members, though only
 elected by the People, must be tryed, judged by the new
 Whitehall Members, ere they can be admitted to sit, Ar-
 ticle 21 of the New Government.] And we have often
 declared to His Majestie and the World, That we are
 'alwayes ready to receive any evidence or accusations
 against

(l) See their
 declarations
 in May, June,
 July, Aug. 1647
 in Novemb.
 Decemb. Jan.
 1648. An:
 1652, & 1653.
 & their True
 State of the
 case of the
 Commonwealth
 of England,
 &c. p. 4. to
 35. Ann. 1654.
 with some o-
 ther Papers
 & Speeches
 since.
 (m) Exact
 collect. p. 3,
 4. to 16.
 (n) Exact col.
 p. 3, 4. to 16.
 651, 652, 653.
 Nota.
 (o) If one
 Member suf-
 fer, all the
 Members suf-
 fer with it,
 1 Cor. 12. 26.
 (p) See Cooks
 4 Instit. c. 1. p.
 15, 16, 17. 23.
 24, 25, and
 my Plea for
 the Lords.

(q) Nor yet against any of them , and to judge and punish them according to their demerits; yet hitherto (q) no evidence produced, no Accuser appearing : And yet notwithstanding, to raise an Army to compel the Parliament to expose those Members to the fury of those wicked Counsellors , that thirst for nothing more than the ruine of them and the Commonwealth : What can be more evident , than that the same is levied against the Parliament ? For did they prevail in this, then by the same reason (pray observe it) They might demand 20 more , and never rest satisfied until their malice and Tyranny did devour all those Members they found crosse and opposite to their lewd and wicked designs [And was not this the practice of the Army-Officers , who levied a real actual War against the Parliament ? They first impeached, secluded xi. Members of the Commons-House ; and some Lords soon after. An. 1647. then they secluded other Members , by their high Declaration of Aug. 18. 1647. after that they secured, imprisoned my self , with 44 Members more , and secluded the greatest part of the Commons House, leaving not above 50 or 60 at first sitting , who confederated with them , in December 1648. within two moneths after this , they beheaded the King ; then suppressed the whole Lords House, so carry on their designs since acted : At last they dissolved their own Mock Parliaments , when they crossed their ambitious aspires : What they did in September last since this was first penned to those now sitting, is fresh in memory.] Touching the Privileges of Parliament , which the contrivers of that Declaration in his Majesties name, (and the Contrivers of sundry * Declarations since in the Armies name, who imitated them herein.) seem to be so tender of, and to professe all conformity unto , and deny this Army to be raised in any degree to violate : we shall appeal to the judgement of any indifferent man, how little truth is contained in this their assertion. (or in the Army Officers printed Papers to the same effect.)

The Parliament is to be considered in three severall respects : First, As a Councill to advise. Secondly, As a Court

* See that of June 14. of Aug. 2 & 18. 1647 , and the Letters of July 29. 1647. The Declarations of Nov. 16. Dec. 6. 1648.

'Court to judge. 3. As it is the body representative of the
'whole Kingdom, to make, repeal, or alter Laws: and whe-
'ther the Parliament hath enjoyed its priviledges in any of
'these respects (*under the Army-Officers and powers, as well*
'*as late King*) let any that hath eyes open judge.

'For the first, We dare appeal even to the Conscien-
'ces of the Contrivers themselves, (and to the conscien-
'ces of the Army-Officers, Souldiers, and *Whitehall* men
'themselves) whether matters of the highest importance,
(witneſs all the publick proceedings against the late
Parliament, King, Peers, Government; the Warrs with
Scotland, Holland: their new *Magna Charta*, repealing
the old, Entituled, *The Government of the Commonwealth*
of England, Scotland and Ireland, wherein they take upon
them such an Omnipotent Sovereign power, as, To pass a
decree upon the wavering humors of the people, and to say
to this Nation, (yea to *Scotland and Ireland* too,) As the
Almighty himself said once to the unruly Sea, * *Here shall be* * Job 38. 11.
thy bounds, hitherto shalt thou come and no further; as some
of them most arrogantly, if not blasphemously publish in
print to all the world in their *True State of the Case of the*
Commonwealth, p. 34. Their making of new binding Laws
and Ordinances, repealing old Laws and Statutes in and by
pretext of this Instrument, out of Parliament, as their ma-
nifold *Whitehall* Folio new Edicts, amounting to near 700
pages, attest) *have not been agitated and determined* (in and
by the Army-Officers, General Council, and other unpar-
liamentary Juncto's,) *not only without*, but contrary to their
Advice, (and Votes too ;) *and whether* private unknown
Councils (in the Army, *Whitehall*, and elsewhere, yea the
private Councils, Plots, conspiracies of *Iesuits*, of *For-*
raign Popish and Spanish Agents) *have not been hearkned*
unto, approved and followed, when the *Faithful and wholsom*
advice of the great Counsel hath been scorned & neglected (by
the Army Officers and their Confederates.) *And yet none*
candeny, but it is one of the Principle ends why a Parliament
is called, To Consult the great Affairs of the Church and
State. And what miserable effects and sad events, this neg-

‘lect of the great Council, and preferring of unknown and
‘private Councils before it, hath produced; let the present
‘Distractions of this Kingdom bear witness, (*with all the
bloody, unchristian Wars, Taxes, Oppressions, Distractions,
since the Armies force upon the King, Members, Houses, An-
no 1647. and 1648. to this present time.*)

Concerning the Second, it sufficiently appears by the ma-
‘king the Kings Court, by the Force and Power of the Kings
‘Army; the Sanctuary and refuge of All sorts of Delinquents
‘against the Parliament and Kingdom, and protecting and de-
‘fending them from the Justice thereof: and by admitting such
‘to bear places of great trust in the Army, and to stand in de-
‘fiance of the Parliament and the Authority thereof; (and
is it not a far greater crime to make the Parliaments Ar-
my it self, a Delinquent against the Parliament and King-
dom; the sanctuary of such Delinquents against both, and
to continue such Officers in places of greatest trust in the
Army, who have levied actual war against the Parliament,
secluded, secured members of Parliament, kept divers years
under their armed guards in defiance of the Parliament,
without any particular Charge or Impeachment, refusing
to release them, even when the Serjeant was sent at first from
the House it self, to demand the Members seized?)

By all which it is apparent, how our Priviledges have
‘been torn from us by piece-meals, from time to time. And
‘we might mention many passages, whereby they were endea-
‘voured to be * pulled up by the root, and totally subverted.
‘As the attempt to bring up the late Army from the North
‘to force Conditions upon the Parliament: His Majesties
‘Letters and Commands to the Members of both Houses
‘(Which found obedience in a great many) to attend him at
‘York; and so, By depriving the Parliament of their Mem-
bers, destroy the whole Body: (And was not the actual
twice bringing up of the Parliaments own Army, by the
Army Officers, against the Parliament it self, to impeach,
secure some principal Members of both Houses; seclude
the Majority of the Commons House, suppress the whole
House of Lords; break off the Treaty, behead the King,
(the

* And are
they not so
now, almost
past hopes of
any future
re-planting?

(the * Head of the Parliament) against the Parliaments Votes, alter the Government, force conditions on the Parliament it self, to omit the 12, 21, 24, 32, 37, 38, 39 Articles of their *New Government*, with the including of all the Members lately admitted by Armed Souldiers, till they took a New Engagement, and keeping out all others) a taking of the *Privileges* of the Parliament from them all by *Whole-sale*, and a more desperate *pulling up by the Roots*, and *total subversion* of all the Priviledges and whole Body of the Parliament, than this objected against the Northern Army, or the Kings Jesuitical ill Council ?) *Which is enough to prove the vanity of the Contrivers of that Declaration* (and of the Army Officers too) *to feed themselves with hope of belief*, That the Priviledges of Parliament are not Violated, but intended to be preserved, with all due observance.

Concerning the Allegation, That the Army raised by the Parliament, is to murder the KING, (oft alledged by the * King and his Party, in many printed PROCLAMATIONS, Declarations before and after this here mentioned) *We hoped the Contrivers of that Declaration, or any that professed but the name of a Christian, could not have so little charity as to raise such a SCANDAL, especially when they must needs know, the * Protestation taken by every Member of both Houses (and Army Officers too) whereby they promise in the presence of Almighty God, TO DEFEND HIS MAJESTIES PERSON.* 'The Promise and Protestation made 'by the Members of both Houses upon the nomination of 'the Earl of Essex to be General, and to live and die 'with him; wherein is expressed, THAT THIS ARMY WAS RAISED FOR DEFENCE OF THE KINGS PERSON, 'Our oft, earnest, and most humble Address 'to his Majesty to leave that desperate and dangerous 'Army, &c. A request inconsistent with any purpose to 'offer the least violence to His Person, which hath, and * ever shall be dear unto us.

And concerning the imputation laid to our Charge, of Raising this Army, to Alter the whole Frame of Government and Established Laws of the Land, (which the King

* *Modus tenendi Parliamentum.* Cook 4. Instit. c. 1.

* Exact Coll. p. 550. 595. 321, 322, 364. 618. 894. 895. 919, 920. A Collection of Ordinances, p. 28 39. 116. 117. * Let those who took it, remember their violations of it, & repent. See Exact Collect. p. 497, 498.

* Was this verified by many of these Remonstrants ?

'and

* Exact Coll. P. 262, 282.
 284. to 289.
 297, 298, 490.
 424, 500, 502.
 404, 514, 517.
 521, 522, 526.
 528, 530, 531.
 534, 550, 551.
 554, 558, 561.
 564, 574. A
 Collection, p.
 117, 452, 453.

‘ and his party * frequently objected in print) *We shall need
 ‘ give no other Answer but this : That the Army Raised by
 ‘ the Parliament is to no other end, but for the Preservation
 ‘ of his Majesties Person, to Defend themselves, the Laws of
 ‘ the Land, and the true Protestant Religion. After which,
 ‘ they there and elsewhere conclude. ‘ And by this time
 ‘ (we doubt not) but every man doth plainly discern
 ‘ through the Mask and Visard of their Hypocrisie, what
 ‘ their (the Kings ill Counsels) design is, To Subject
 ‘ both King and Parliament and Kingdom to their nee-
 ‘ dy, Ambitious, and Avaritious Spirits, and to the violent
 ‘ Laws, Martial law, of Governing the People by guards and
 by the Souldiers.*

* Exact Coll.
 p. 688, 689.
 696, 697.

* So styled,
 Exact Coll. p.
 4. 12. 34. 61.
 243. 262. 321.
 500, 502. in
 the Decl. of
 the Lords &
 Commons
 concerning
 His Majesties
 Proclamatiō.
 June 6. 1642.
 p. 4. besides
 the authorities
 in the 1. chap.

But alas for grief, how superlatively have many of the
 Army Officers, and their confederate members (though
 parties to these *Declarations* and *Protestations*) violated
 them, and both Houses Faiths, Trusts, intentions, ends in
 raising the *Army*, in every of these particulars ? How have
 they verified, justified the *Kings Declarations, Jealousies*,
 concerning the Parliaments Army, in every point, here
 (and * elsewhere) disclaimed by both Houses ? How have
 they exceeded, out-acted the *Kings Jesuitical Counsellors*,
 and most desperate *Popish Army*, in violating, subverting
 both the Parliaments Priviledges, Members and Parlia-
 ments themselves, together with our * *Fundamental Laws*,
Liberties, Government ; for whose preservation they were
 only raised, paid ? How have they pursued the *Kings* and
 his worst *Jesuited Counsellors* footsteps in all the charges
 here objected against them by both Houses, in relation to
 the Parliaments priviledges, Members, Constitution, Rights,
 Laws, to their utter subversion, dissolution, and waged war
 against them ? *And doth not every man plainly discern through
 the Mask and Visard of their Hypocrisie, (to use both Hou-
 ses expressions) that their design is just the same with that
 here objected by the Parliament to the Kings ill Jesuited
 Counsellors, and Popish army ; even to subject both King,
 Parliament and Kingdom, to their needy, ambitious, avaritious
 spirits, and to the violent Laws, marshal Law, of Governing
 the*

the People, (yea Parliaments themselves) by Guards, and by the Souldiers? and ' By Conquest to establish an absolute ' and unlimited power over the Parliament and good Subjects of this Kingdom; as the Houses * elsewhere thrice objected against the late King, his Army and party: being the very design (as many wifemen fear) of the 27 Article of their *New Government*; to settle a ' constant Annual revenue for the maintenance of 20000 Foot, & 10000 Horse ' and Dragoones, (to be alwayes constantly kept up Winter and Summer, without disbanding or diminution) for ' the Defence and Security of *England, Scotland, and Ireland*? Which must henceforth be kept under by *Mercenary Forces*, to guard of *Protectors*, when as the * *Heathen Poet* assures us, *Integer vita scelerisq; purus, non eget Mauri jaculis nec arcu*; much less our *English Nation*, ever formerly secured by their own *unmercenary Militia* of the *Trained Bands*, and those Lords and Gentlemen who hold their Lands by Knight-service. O that they would now in the name and fear of God (as they tender the eternal salvation of their Souls, the honour and priviledges of all future Parliaments, the ease, welfare, settlement of our Nation) Lay all this most seriously to their Hearts, and make it a matter of their greatest lamentation, and repentance ! Besides this, have they not falsified that memorable * late Declaration of the Lords and Commons assembled in Parliament, Novemb. 2. 1642. in Answer to his Majesties (well worthy perusal now) and made good (both for the time past, and all succeeding Parliaments, whiles there shall be any standing Army in *England* able to over-power them) all the odious, scandalous positions, in relation to the *English* Parliament, its Members and priviledges (deduced from the Kings Declaration, only by inference, but disclaimed by the King) summed up by them, in the close of that Remonstrance; and published in these ensuing terms, as will evidently appear, if applied to the Army, and their Generall Council of Officers, by adding or exchanging their names, only for the Kings in a parenthesis?

* Exact Coll. p. 617. 631.

* Horace.

* Exact Col. p. 686, to 730.

I. * That

* Exact coll.

P. 729.

See their Declarations & Papers of Aug. 7. 1647. Dec. 7. & Jan. 3. 1648 where they thus Declare and brand them.

* Quo d pluribus visum probaunque fuerit, id in OMNIBUS PUBLICIS VALET. In Oligarchia enim & Aristocratiâ, & Democratiâ, quod eorum qui Rempublicam gerunt, MAIORI PARTIS PLACUERIT, i. e. RATUM AC FIRMUM. Politicorum l. 4. c. 8. See 33 H. 8. c. 27.

1. * That the King (the *Army, General, and their General Council of Officers) when he pleaseth, may declare the Major part of both Houses, (which in all sorts of Republicks doth, yea ought of right to over sway the Minority, & their Votes to be firm and binding to all men, as * Aristotle himself resolves;) a faction of Malignant, Schismatical, and ambitious Persons: so that all Parliaments that have been heretofore and SHALL BE HERE AFTER, AND ALL LAWS MADE IN THEM may by this means be called in question at pleasure; (yea nulled and repealed for ever, as some former Parliaments have been, when held and over-awed by armed power, or unduly elected, packed, summoned without Lawfull Authority, or some of the Members forcibly secluded, as you may read at large in the Statutes of 21 R. 2. c. 11, 12, 16, 17, 18. 1 H. 4. c. 3. 1 H. 4. Rot. Parl. n. 22, 23, 36, 48, 66, 70. 113. 39 H. 6. c. 1. & 17 E. 4. c. 7. worthy the serious perusal of our present Grantees, and all illegitimate Parliaments, where they may read the fatal end of all new unparliamentary projects, laws, devices, wherein many now so much glory, as if they would continue firm for ever: when as in a few years space, they will all probably prove nullities, be for ever reversed; yea, branded to posterity, as most pernicious presidents.

2. That his Majesty (the Army and their General Council) may declare what is the known Law of the Land, against the judgement of the Highest Court, and consequently of all his Courts: So that the safety and right of King and people, and THE LAW IT SELF must depend upon his Majesties (the Army, General, and their Councils) pleasure.

4. That as the King hath a property in his Townes, Forts, and Kingdoms; so he (the Army and their General Council) may * dispose of them as he pleaseth; and the Representative body of the whole Kingdom may not intermeddle in discharge of his Majesties (the Armies, Generals, Councils) trust, though by the advice of evil Counsellors they see it diverted to the hazard of the publique peace & safety of the Kingdom.

5. That

* Which now they do.

5. That his Majesty (*the Army, General, and their Council*) or any other person, may upon suggestions and pretences of Treason, Felony, or breach of peace (*or of their Trusts, a fourth * Army new-minted cause*) Take the Members of Parliament, without giving satisfaction to the House, whereof they are Members, of the grounds of such suggestion or accusation, and without and against their consent (as in the case of the late secured, secluded Members, and their two Junct's since) so they may * Dis- member a Parliament, when they please, and make it what they will, when they will.

* See their impeachment of the xi. Members, & the humble Answer of the Gen. Council & Officers of the Army, &c. Jan. 3. 1648. * Have they not lately done so since this was penned, as well as heretofore?

6. That whosoever shall follow the King (*Army, General and their Council,*) in the wars (*against the Parliament*) though it were to destroy Laws, Liberty, Religion, the Parliament it self, and the whole Kingdom; yet he shall be free from all crime or punishment. And that on the other side, to oppose by force any such force, though in the most Legal way, and by authority of the Representative body of the whole Kingdom, is to leavy war against the King (*Army, General*) and TREASON (within the Letter of 25 E. 3. or of their new Knacks since:) So our Lands, Liberties, Lives, Religion, and Laws themselves, *Whereby all the Rights both of King and People are due to them, and preserved for them,* shall be at the sole will and pleasure of the Prince (*Army, General, and General Council of Officers,* in their new *High Courts of Injustice,* or other Martial *Judicatories,* as now they are.)

O consider, consider seriously by these particulars, to what a sad, low, despicable condition all English Parliaments are now for ever reduced, and their pristine antient Priviledges, Honor, Freedom, Power, violently ravished from them by the late Army practises, violences, and rebellious insolencies against them, never to be parallel'd in any age; which hath really verified this clause in the Declaration of both Houses, * August 4. 1642. objected against the King and his popish Army, in relation to the Parliaments Army, purposely raised, commissioned, & engaged for their defence. That if the King (*by his Army*)

* Exact coll. P. 496.

may

* And are
they not so
lost now?

' may force this Parliament (as the Parliaments Army both
' forced and dissolved it) *they may bid farewell* to all Par-
' liaments, for ever receiving good by them ; And if Par-
' liaments be * lost, they (the People) are lost, their Laws
' are lost, as well those lately made, as in former times ,
' *ALL WHICH WILL BE CVT IN SVNDER WITH*
' *THE SAME SWORD, NOW DRAWN FORTHE*
' *DESTRVCTION OF THIS PARLIAMENT :* (as
' we now find true by sad experience.)

* *Epistola ad*
solutariam Vi-
ram agentes.
Sir Christopher
Sybthorpe his
Reply to an
Answer made
by a Popish
Adversary,
Dublin 1625.
p. 27, 28, 29.

* *Athanasius*, Bishop of *Alexandria* (about the year
of our Lord 340.) objected this as a great crime, barba-
rism, cruelty, and violation of the priviledges of Councils,
to the *Arrian* Emperour *Constantinus*. ' That whensoever
' he called a Council or Assembly of Bishops, it was but
' for a shew : For he would not permit them to be guided
' by the Ecclesiastical Canons, but his Will alone must be
' their only Canon. And when they advised him, not to
' subvert the Ecclesiastical order, nor bring the *Arrian*
' *Heresie* into the Church of God, he would neither hear,
' nor permit them to speak freely ; but grievously bending
' his brows (if they had spoken cros to his designs) and
' *SHAKING HIS SWORD AT THEM, COMMAN-*
' *DED THEM TO BE TAKEN AWAY.* *Where-*
' *upon he thus infers,* What Liberty for perswasion, or place
' for advice is there left, when he that contradicteth, shall
' for his labour lose *either his Life, or his Country* ? Why
' hath the Emperour gathered so great a number of Bishops,
' partly terrified with threats, partly incited with promises,
' to condescend, that they will not communicate with *A-*
' *thanasius* ? And *Hilary* Bishop of *Poitou* Ann. 360. in
his first Book against this Tyrannical *Arrian* Emperour
Constantinus, thus censures his violent proceedings of this
kind, to the subversion of the freedom and priviledge of
Councils and their members. *Thou gatherest COUNCILS,*
and when they be shut up together in one City, thou TERRI-
FIEST THEM WITH THREATS, THOU PI-
NEST THEM WITH HVNGER, THOU LAMEST
THEM WITH COLD, (as the Army Officers did the
secluded

secluded Members 6 and 7 Decemb. 1648. when they shut them up all night in Hell, on the bare boards without beds in the cold, and kept them fasting all the next day at Whitehall, til 7 a clock at night) *Thou depravest them with Dissembling; O THOU WICKED ONE, what a mockery dost thou make of the Church and Councils? Only Dogs return to their Vomit; and thou compellest the Priests of Christ, to sup up those things which they have disgorged, and commandest them in their confessions, to allow that WHICH BEFORE THEY CONDEMNED. What Bishops hand hast thou left innocent? What tongue hast thou not forced to falshood? Whose heart hast thou not brought to the condemning of his former opinion? Thou hast subjected all to thy will, yea to thy violence. And have not some swaying Army Officers, by their frowns, menaces, frauds, Swords, open force upon the Parliament and its Members, beyond all the presidents in any ages, done the like, and exceeded this Arrivan Tyrant herein? And is it not then high time for all friends to Parliaments, to protest and provide against such detestable, treasonable violences for the future, destructive to all Parliaments, if permitted, or silently pretermitted without question, exemplary censure, righting of the imprisoned Members, or any provision to redresse them for the future?*

Our prudent Ancesters were so carefull to prevent all violence, force, arms, and armed men, in or near any places where Parliaments were held, to terrifie, overawe, or disturb their proceedings or Members; * That in the Parliament of 7 E. 1. (as you may read in *Rastals Abridgement*, Armour, 1. *Provision was made by the King, by common consent of the Prelates, Earls, and Barons, by a general act, That in all Parliaments, Treaties, and other Assemblies, which should be made in the Realm of England FOR EVER, every man shall come without Force, and without Armour, well and peaceably to the honour of the King, and of the peace of him, and of his Realm, and they together with the Commonalty of the Realm upon solemn advise, declared; That it belonged to the King, and his part it is by his Royal*

* See the Declaration of the Lords and Commons, June 6. 1642. concerning this Statute.

' Signiory strictly to defend wearing of *Armour*, and all
 ' other *Force*, against his peace at all times, when it shall
 ' please him (especially at such times, and in places where
 ' such Parliaments, Treaties, and Assemblies are held),
 ' and to punish them which shall doe contrary according
 ' to the Laws and usage of the Realm. And hereunto they
 ' are bound to aid the King, as their Sovereign Lord,
 ' at all seasons when need shall be. Hereupon our
 ' Kings ever since this statute, by virtue thereof, and by
 ' the Law and Custom of the *PARLIAMENT*, (as
 ' Sir *Edward Cook* in his 4 *Institutes* c. 1. p. 14. informs us)
 ' did at the beginning of every Parliament, make a speci-
 ' all Proclamation, Prohibiting the bearing of Arms
 ' or weapons, in or near the places, where the Parlia-
 ' ment sate, under pain of forfeiting all they had; Of
 ' which there are sundry presidents cited by Sir *Edward*
 ' *Cook* in his Margin; whereof I shall transcribe but one
 ' (which he omits) and that is 6 E. 3. Rot. Parliament n. 2.
 ' 3. ' Because that before these days, at the Parliaments
 ' and Counsels of our Lord the King, Debates, Riots and
 ' commotions have risen and been moved, for that People
 ' have come to the * places where Parliaments have been
 ' summoned and assembled, armed with privy coats of plate,
 ' spears, swords, long knives, (or daggers) and other sort of
 ' arms, by which the busineses of our Lord the King and
 ' his Realm have been impeached, and the great men which
 ' have come thither by his command, have been affright-
 ' ed: Our Lord the King, willing to provide remedy
 ' against such mischiefs, defendeth, that no man of what
 ' estate or condition soever he be, upon pain of forfeiting
 ' all that he may forfeit, to the King, shall be seen armed with
 ' a Coat of Male, nor yet of plate, nor with an Halberd, nor
 ' with a spear, nor sword, nor long knife, nor any other
 ' suspicious arms, within the City of *LONDON*, nor
 ' within the Suburbs thereof; nor any place near the said
 ' City; nor yet within the Palace of *WEST MINSTER*,
 ' or any place near the said Palace, by Land or Water, un-
 ' der the foresaid pain: except only such of the Kings
 ' men

* Is not the
 quartering of
 Horse and
 Foot in or
 near such pla-
 ces, to affright
 and overawe
 Parliaments
 and their
 Members, a
 Violation of
 this Law, Pro-
 clamations,
 Law and Cu-
 stom of all
 English Par-
 liaments, fit
 to be redres-
 sed?

men as he shall depute, or by his command shall be deputed to keep the peace within the said places : and also except the Kings servants, according to the Statute of Northampton. And it is not the intention of our Lord the King, that any Earl, or Baron may not have his Lance brought to him in any place, but onely in the Kings presence, and in the place of Councell. The like Proclamations were made in the beginning of the Parliaments of 9. 13, 17, 18. 20, 25 Edw. 3. and sundry others: more necessary to be revived in all succeeding English Parliaments now, than ever heretofore, since the unpresidented forces upon the late Members of both Houses, and the Parliament it self, by the Army-Officers and Souldiers, raised to defend them from Violence : The Treasonablenesse and Transcendency whereof being at large related in my Epistle to the Reader, before my Speech in Parliament 4 December 1648, I shall not here criminally presse, nor insist on, but referre them thereunto : However for the future security and freedom of our Parliaments from violence, I must crave liberty to inform these Army Parliament-drivers, forcers, dissolvers, (habituated to this trade) That if the late Kings march to the House of Commons, accompanied only with some of his Pensioners and others, armed with Pistols and Swords, meerly to demand but five Members thereof to be delivered up to Justice, particularly impeached by him of High Treason some dayes before : to wit, * That they had traiterously endeavoured to subvert the Fundamental Laws and Government of this Kingdome : To deprive the King of his Royal power : To place over the Subjects an Arbitrary and Tyrannical power, To subvert the very Rights and being of Parliaments : and by force and terrour to compell the Parliament to joyn with them in their designs; for which end they had actually raised and countenanced Tumults against the King and Parliament:

*Exact coll.
P. 34. 56. 66,
67, 68, 76, 77,
198, 200, 201,
202, 246, 695,
723. 729.

*Let those observe this Impeachment, who are now really guilty of it in the highest degree.

*Exact Coll.
p. 118, 195,
207. to 237.

Or if the Kings bare tampering with some Officers of his own Northern Army, to draw a Petition from them to the Houses, or march towards London from their

248, 273, 293.
523, 524, 525,
617, 631, 660,
695.

* Exact Coll.
in the pages
quoted before.

‘ their quarters; (not to seise upon, force or dissolve the
 ‘ Parliament or its Members, but only to over-aw them,
 ‘ and impeach the freedom of their debates, Votes tou-
 ‘ ching Episcopacy, Church Government, and the
 ‘ Kings Revenues) were such high transcendent violati-
 ‘ ons of the Priviledges and Freedom of Parliament,
 ‘ and unsufferable injuries, as both Houses of Parliament
 ‘ separately, and joyntly proclaimed them to all the
 ‘ world, in * severall Declarations, during his life;
 Or such capitall crimes, as those who condemned and
 executed him for a *Traitor and Tyrant*, have published in
 their Declaration of 17 March 1648. (*touching the grounds
 of their proceedings against him, and selling the Government
 in the way of a Free State, without King or House of Lords*)
 since his beheading, in these very words. - ‘ But ABOVE
 ‘ ALL, the English army was laboured by the King to be
 ‘ engaged against the English Parliament; a thing of that
 ‘ strange impiery and unnaturalness for the King of England,
 ‘ that nothing can answer it, but his being a Forraigner; nei-
 ‘ ther could it have easily purchated belief, but by his suc-
 ‘ ceeding visible actions in full pursuance of the same; as
 ‘ the Kings comming in Person to the *House of Commons*,
 ‘ to seise the five Members, whither he was followed
 ‘ with some hundreds of unworthy debauched persons,
 ‘ armed with swords, and pistols, and other arms; and
 ‘ they attending him at the door of the House, ready to
 ‘ execute what the Leader should command them. Which
 they charged against the King, as the *highest of his unpar-
 alleld Offences*; for which they appeal to all the world of in-
 different men to judge, whether they had not sufficient cause
 to bring him to Justice? Though neither he nor his follow-
 ers then seized, secured, secluded, injured any one Member,
 when they thus went to the *Commons House*; Yea * present-
 ly retracted his Impeachment, and offered all satisfaction that
 should be desired by the House for this breach of Privilege; and
 though neither the Northern Army, nor their Officers ever
 advanced towards, or offered the least violence to the Hou-
 ses, or their priviledges, by Petition or otherwise.

* Exact Col-
p. 51. 52. 54.
66, 67. and
elsewhere.

Then

Then certainly the Parliaments own Armies Officers, Counsels, ' manifold high printed *Declarations*, of June 14. 23. July 7. Aug. 18. 1647. Nov. 16. & Decemb 7. 1648. and others before and since, their professed open Oppositions, Impeachments, against the very Proceedings, Votes, Orders, Ordinances, Members of both Houses of Parliament, which first raised them principally for their defence; [*Printed by their order in their Book of Declarations, The History of Independency, and my Speech in Parliament,*] ' their Impeachment of eleven Members of the House of Commons, and sundry Lords at once; their securing of above 40, and secluding of above five parts of six of the whole House of Commons at once; their ' avowed marches with the whole Body of the Army, ' in *Battalia*, severall times to force the Houses, seise ' their Members, over-aw, affright, dis-member, dissolve ' the Parliament it self, and their own new erected Jun- ' ctões since, and justification of it to all the world in print [*is their humble Answer touching the secured and secluded Members,* Jan. 3. 1648. *The true state of the case of the Commonwealth of England, 1654. and their Declarations concerning their dissolution of their two Junctões*] after these Misdemeanours of the King, without the least repentance for them, must needs be farre more execrable, unwarrantable and criminal, than the Kings, and deserve a severer censure than his Peccadilloes in respect of their crimes. And if by the * whole Armies printed *Remonstrances*, August 2. and 18. 1647. the ' tumult of some ' unarmed London Apprentices, who offered some small ' force to the Houses, to the violation of their Priviledges, ' (without securing or secluding any one Member) deser- ' ved a speedy and exemplary capital proceeding against the ' principal contrivers and Actors in it, as they then decla- ' red, and vehemently urged again and again in those *Remonstrances*) Or if by their own *Charge* in the Name of the whole Army, June 14. 1647. against the XI. Members, it was so high an offence in them, *That they joyntly or severally invited, encouraged, abetted or countinanced several*

* See their Declaration of June 23. 1647. & Aug. 18. Dec. 6. 1648

* And their Generals Letter from Bedford, 29 July 1647.

* See a Declaration of the Gen. Council & Armies Engagements, &c. p. 49.

Re-

*Reformadoes, and OTHER OFFICERS AND SOULD-
DIERS TVMVLTVOSLY AND VIOLENTLY
TO GATHER TOGETHER AT WESTMINSTER,
TO AFFRIGHT & ASSAULT THE MEMBERS
OF PARLIAMENT IN PASSAGES TO & FROM
THE HOUSE, TO OFFER VIOLENCE TO THE
HOUSE ITSELF, & BY SVCH VNRVLY OVT-
RAGES & THREATS TO AWE AND INFORCE
THE PARLIAMENT; And that upon their bare sug-
gestion thereof (without any proof at all, or colour of
truth) they presently demanded, That the persons impea-
ched MIGHT BE FORTHWITH SECLVDED
FROM SITTING IN THE HOUSE, and removed
thence, before any hearing or trial, which the Officers
and Army eagerly pressed in their Paper of June 15.
1647. Nay, if by their own late printed 'Instrument of
'the Government of the Commonwealth of England, &c:
'Articles 14. 16. 'All and every person and persons, who
'have aided, advised, assisted, or abetted in any war against
'the Parliament since the first day of January, 1641. (un-
'lesse they have since been in the Service of the Parlia-
'ment, and given signal testimony of their good affections
'thereunto) shall be disabled, and be incapable to be e-
'lected, or to give any Vote in the Election of any Mem-
'ber to serve in the next, or in the three succeeding trien-
'nial Parliaments: and all Votes and Elections given to
'the contray, shall be null and void: And if any person so
'made incapable, shall forfeit one full years value of his
'real estate, and one full third part of his personal estate,
'in case he shall give his Vote for election of Members
'to serve in Parliament: as they there adjudge; though
such persons as they intend thus to disable, never waged
any actual war against the Parliament it self, or its Mem-
bers, immediatly, but only against the Forces raised by the
Parliament, and so mediately and indirectly only against
the Parliament, (the case of all the late Kings adherents
and assistants, not within the letter, but meaning of these
Articles:) then doubtless those *Army-Officers, Souldiers,*
and*

and their *Confederats*, who 'advised, aided, assisted abetted in' one or more wars against the Parliament Houses, and Parliament Members themselves, whom they immediately assaulted, forced, secured, secluded, dissipated, dissolved, destroyed, and have justified it several times in print, 'without giving any signal testimony of their good affections to the Parliament; and in this their *Instrument* have laid * *many Chains, clogs, restraints, on all new future Parliaments, of their own framing, inconsistent with the Honour, Freedom, Priviledges, being of real English Parliaments; deserve a farre higher and severer censure than these Apprentices, or impeached Members did in their repete; or those Members they most insolently accuse and impeach, in their Declarations of June 23. and August 18. 1647. (not to be presided in any age since the Creation, till then:)* and they all are by their own Verdict, *Instrument, totally disabled (as much as the archest Malignants and Cavaliers) by the very letter of these Articles, to be elected, or give any vote for the election of Members in the four next succeeding Parliaments; and those who have given their Votes in the late Elections, have thereby forfeited at least one full years value of their real, and one full third part of their personal estates; and deserve as high, (if not an higher) censure, as any sequestred, or other Delinquents condemned formerly by them, for bearing arms, levying or abetting any war, but only mediately against the Parliament; and as high an incapacity to be put not only on themselves, but their Heir males to serve in Parliament, as the Statute of 21 R. 2. c. 6. imposed heretofore on others, for a farre lesse offence; to secure the Members and Priviledges of all succeeding Parliaments, from such unpresided forcible violences, ruptures, dismembrings, dissolutions, as the last Parliament sustained, by the Armies outrage and confederacy against them, (of most dangerous president to Posterity;)* of which I desire to make them truly sensible.

The last real and * duly constituted *English Parliament* we had, were so deeply sensible, of the dangerous destructive

* Article 10,
12, 21, 22, 24,
27, 30, 32, 36,
37, 38, 39.

* See Exact
Collect. p. 320
321, 322. 561,
the true and
excellent constitution of our
Parliament.

* Exact Coll.
P. 723, 724.
726, 727.

Give Consequences of securing or secluding their Members, and keeping them from the Houses, upon any Impeachments or Surmises, without the Notice and consent of the House; that in their forementioned *Remonstrance of Nov. 2. 1642.* they claimed and asserted this, TO BE SO CLEAR AND ESSENTIAL A PRIVILEGE OF PARLIAMENT, THAT THE WHOLE FREEDOM THEREOF DEPENDETH UPON IT. *That NO MEMBER OF EITHER HOUSE OF PARLIAMENT was to be proceeded against; or judged, NOR TAKEN AWAY, OR DETAINED FROM THE SERVICE OF THE HOUSE, WHEREOF HE IS A MEMBER; (no, not in case of Treason, Felony, or Breach of Peace, much lesse in any other) until such time as that House hath satisfaction concerning the cause: though in such cases they confessed, he might be arrested by the Officers of Parliament, or any other Ministers of Justice, to the intent only, That he might be brought to the Parliament Corpus cum causa, and detained in safe custody till he may be brought to the Parliament; but not to be proceeded against in any inferior Court, before such time as the cause be heard in Parliament, and dismissed from it. For (else) who sees not, that by this means, UNDER FALSE PRETENCES OF CRIMES AND ACCUSATIONS, SUCH AND SO MANY MEMBERS OF BOTH OR EITHER HOUSE OF PARLIAMENT MAY BE TAKEN OUT OF IT AT ANY TIME, BY ANY PERSONS TO SERVE A TURN, AND TO MAKE A MAJOR PART OF WHOM THEY WILL AT PLEASURE. And as the grand Inquest of the whole Kingdom should be (by this means) subject to the grand Inquest of one particular County; So the whole Representative Body of the Kingdom should be at the Devotion of a Middlesex Jury, (as since of their own Army, raised to protect them from these mischiefs.) And therefore, as THE FREEDOM OF PARLIAMENTS DEPENDETH IN A GREAT PART UPON THEIR PRIVILEGES, AND THE FREEDOM OF THIS NATION UPON THE FREEDOM OF PARLIAMENTS, WE HAVE GOOD REASON TO*

BE.

Nota.

Nota.

BELEIVE, that the People of England knowing their Lives and Fortunes are bound up in this bundle, will venture their Lives and Fortunes in this Quarrel: Which I intreat all those who have so highly infringed this principle Privilege of Parliament of late years, with all the people of England now seriously to consider, to vindicate, preserve it in all succeeding ages from the like violations, if ever they expect to be Freemen, or to enjoy free English Parliaments again; * which are such an ESSENTIAL PART OF THE CONSTITUTION OF THE KINGDOM, that we can attain TO NO HAPPINESSE WITHOUT THEM, and like Hipocrates twins, We must laugh and cry, LIVE AND DIE TOGETHER WITH THEM. P. 561. * Exact Coll.

Now farther to convince the Army-Officers, Souldiers, of their late great injustice to, and affronts, contempts against the Parliament which raised them, in relation to our ancient fundamental Government and chief Member of the Parliament; I shall desire them and all their confederates in cold blood, seriously to consider, whether they have not, by their undatifull, violent proceedings against them, contrary to the Votes, Declarations, Remonstrances of the PARLIAMENT, endeavoured (as much as in them is) to falsifie this clause in both Houses Declaration Nov. 2. 1642 * Although they would perswade his Majesty, That there is little confidence to be placed in our Modesty and Duty; yet, AS GOD IS WITNESSE OF OUR THOUGHTS, SO SHALL OUR ACTIONS WITNESSE TO ALL THE WORLD; that TO THE HONOR OF OUR RELIGION, and OF THOSE WHO ARE MOST ZEALOUS IN IT ('so much struck-en at by the contrivers of that Declaration, under odious names) we shall suffer more for and from our Sovereign, than we hope God will ever permit the malice of evil Counsellors to put us to: And although the happiness of this and all Kingdomes dependeth chiefly upon God; Yet WE ACKNOWLEDGE THAT IT DOETH SO MAINLY DEPEND UPON HIS MAJESTY, and THE ROYALL BRANCHES OF THAT

* How much it and they have been dishonoured by the contrary, let the Army Officers read at leasure in Militaire his Victory of Truth.

Nota.

L ROOT

Nora.

'ROOT, that as WE HAVE HERETOFORE, SO
'WE SHALL HEREAFTER, esteem no hazard too great,
'no reproach too vile; but that we shall willingly goe
'through the one, and undergoe the other, That we, and
'the WHOLE KINGDOME MAY ENJOY THAT
'HAPPINESSE, which we cannot in an ordinary way of
'providence expect FROM ANY OTHER FOUNTAIN
'OR STREAM, than those from whence (were the poi-
'son of evil Councels once removed from about them) no
'doubt, but we and THE WHOLE KINGDOME
'SHOULD BE SATISFIED MOST ABUNDANTLY.
And on the contrary, have they not fully and actually ve-
rified, in respect of themselves and their Confederates
in the Houses, this *Odious aspersion*, then (only in predi-
ction) cast by the KING on the PARLIAMENT, but by
them at that time renounced with greatest detestation;
and drawn those sad consequences on the whole Kingdom,
wherewith both HOUSES conclude that, *Declaration* in
these words?

* Exact Coll.
p. 730.

7: * *That the Representative Body of the whole King-
dom (since dissolved by the Army) is a Faction of
Malignant, Schismatical, ambitious Persons, whose DE-
SIGN IS AND ALWAYS HATH BEEN TO AL-
TER THE WHOLE FRAME OF GOVERNMENT,
BOTH OF CHURCH AND STATE, AND TO SUB-
JECT BOTH KING AND PEOPLE TO THEIR OWN
LAWLESSE ARBITRARY POWER AND GOVERN-
MENT, and that they DESIGN THE RUINE OF HIS
MAJESTIES PERSON and OF MONARCHY IT SELF:
and consequently that they are TRAITORS and all the King-
dome with them, (for their act is the act of the whole King-
dome) And whether their punishment and ruine may not also
INVOLVE THE WHOLE KINGDOM IN CONCLU-
SION, AND REDUCE IT INTO THE CONDITION
OF A CONQUERED NATION (as some ARMY OFFI-
CERS, & SOULDIERs openly averre we are now redu-
ced to by and under them) NO MAN CAN TELL: BUT
EXPERIENCE SHEWETH US (and now we find it
most*

most true in the * ARMY-OFFICERS, COVNCELL, ^{*Who in their Letters of July 18. 1647. Propositions of Aug. 2. and other of their Declarations,} SOVLDIERS) *THAT SVCCESSE OFTEN DRAWS MEN NOT ONELY BEYOND THEIR PROFESSION; but also many times beyond their first intentions.*

professed to all the world, *That it was fully agreeable to all their Principles, & should be their desires and endeavours to maintain Monarchy, the Priviledges and Freedom of the Parliament; and the Rights of his Majesty and Royal Family, that so a lasting Peace and Agreement might be settled in this Nation, &c. which otherwise, they confessed then in good earnest, could not be hoped for, nor expected.* Whence they intituled their Printed Book, *A Declaration of the Engagements, Remonstrances, Representations, Proposals, Desires, and Resolutions from his Excellency Sir Thomas Fairfax, and THE GENERAL COUNCEL OF THE ARMY, FOR SETTLING OF HIS MAJESTY IN HIS JUST RIGHTS, THE PARLIAMENT IN THEIR JUST PRIVILEGES, and THE SUBJECTS IN THEIR LIBERTIES AND FREEDOMES;* Printed by their and the Lords House special Order London 1647. Let them now seriously consider and perform it in good earnest.

Surely as the Armies and their Confederates late proceedings in relation to themselves, (though not unto the forced, dismembred, dissolved Parliament, and secured Members) have fully verified this charge in every particular, then reputed *most false and scandalous*; which I thus press upon their consciences at this time, and so largely insist on, not to defame or asperse them to the world, as many others do, who apply that *black Character of Jer. 9. 2. to 6. c. 12. 6. Rev. 3. 10. to 19. (They are all an ASSEMBLY OF TREACHEROVS MEN: Thine habitation is in the MIDST OF DECEIT, &c. Destruction and Misery are in their wayes, and the way of Peace they have not known; there is no fear of God before their eyes)* unto them in a more eminent manner, as being really verified by their unparalleled exorbitances formentioned; but to vindicate the *Innocency, Integrity of the Majority and secluded Members* of both Houses, against the scandalous printed aspersions of *Militaire* and other *Papists*, to preserve and justify the Honour of our *Reformed Religion*, and of the most *zealous Professors* thereof; to restore, re-establish if possible, the *Priviledges, the Freedom* of all *Future Parliaments*, much impaired, endangered by their heady violent *Proceedings*, and most pernicious *Presidents* to *Posterity* (if not

publicly abominated, exploded by them, or exemplarily punished (to deterr all others from their future imitation) to convince them by what Jesuitical, Popish, old Court-Principles, Counsels, Pra'tises, they have hitherto been misguided; and to reclaim them, as much as in me lieth, for the future, from the like destructive Pra'tises, for the publick Safety, Peace, Settlement of our distracted Kingdoms; and do most earnestly beseech them, as they are English-men, Souldiers, Christians, seriously to repent of and lay to heart, lest they perish eternally for them at last; as likewise to take heed, lest by teaching and instigating the Common Souldiers of the Army, to suppress, oppress, betray the Parliament, Kingdom, People, who raised, payed, and entrusted them only for their safeguard and defence, they do not thereby instruct and encourage them at last to betray and destroy themselves; it being a true observation of * Seneca the Philosopher, *Aliquando Tyrannorum praesidia in ipsos consurrexerunt*. PERFIDIAMQVE ET IMPIETATEM ET FERITAREM, ET QVICQVID AB ILLIS DIDICERANT, IN IPSOS EXECRERUNT: *Quid enim potest ab eo quisquam sperare, QVEM MALVM ESSE DOCVIT? Non diu paret, nequitia, nec quantum iubetur, peccat*; as we have seen by many late presidents: So the Army-Officers, Souldiers Great Successes in all their Wars, Designs, and forcible ill Proceedings against the King, Parliament, Kingdom, Government, Laws and Liberties; as it hath caused them not only beyond their Professions, but also beyond their first Intentions, Commissions, Protestations, to forget that Gospel-precept given to Souldiers, Luke 3. 14. to advance themselves to a more absolute Sovereign arbitrary Power over them, than ever any Kings of England claimed or pretended to, (as their late Proceedings, Remonstrances, and transcendent Instructment of the Government of the three Kingdoms, manifest;) so it hath been the (s) principal Ground, whereby they have justified all their unpresidented forementioned Exorbitances, as lawfull, commendable, Christian: and that which hath struck such a stupifying pannick fear, such a stupendous cowardize,

* De Clement.
l. 1. c. 26.

(s) Psal. 37. 7
Psal. 73. 3, &c.
Eccles. 8: 11,
12.

cowardiz^o, baseness, sottishness, into the Generality of the Nobility, Gentry, Ministry, and Commons of our late most heroick English Nation, that there is scarce (t) a man (t) Ezek. 22. to be found throughout the Realm of any Eminency (though 30. we should seek after him like Diogenes, with a Candle) that dares freely open his mouth against their most irregular, illegal, violent, destructive arbitrary Proceedings, Usurpations, Innovations, Oppressions, Taxes, Projects, to the shaking and utter subverting of our ancient Fundamental Laws, Liberties, Rights, Properties, Parliaments, Parliamentary priviledges, Government, and taking away of the very Lives of some (and thereby endangering the Lives of all o- ther) English Freemen of all Degrees, in mischristened High Courts of Justice. Such a strange Charm is there in Success alone. to metamorphise Men into meer (v) tempo- (v) See 2 King. rising, slavish, sordid sots and beasts; yea, to cause not only 10. 1, 10 12. persons truly honourable, but the very (x) Devil himself, (x) Deut. 32. and the worst of beasts, to be wondred after, applauded, a- 17. 1 Cor. 10. dored, not only as Saints, but Gods. We read Rev. 13. 20. Rev. 9. 20. of a Monstrous deformed BEAST, to whom the Dragon Ephes. 2. 2. (the Devil) gave his Power, Seat and Great Authority; where- upon, all the world wondred after the Beast, and worshipped not onely the Dragon, that gave him power, but the Beast like- wise; saying, Who is like unto the Beast? WHO IS ABLE TO MAKE WAR WITH HIM? And there was given unto him a Mouth speaking Great things, and blasphemies, and power was given him to continue and make war forty and two months. And power was given unto him to make war with the SAINTS, AND TO OVERCOME THEM; and power was given him over all Kindreds, and Tongues, and Nations. And (HEREVPON IT FOLLOWS) all that dwell upon the earth shall worship him, whose names are not written in the Lambs Book of Life. And another Beast (un- der him) caused the earth and all that dwell therein to set up the Image of this Beast, and to worship it; and he caused all both small and great, rich and poor, free and bond, to receive the mark of the Beast in their right hand, and in their fore- heads; and none might buy or sell, but he that had this mark;

and

and as many as would not worship this Beasts Image, were ordered to be killed. Yet this Blasphemous Beasts reign and power continued but forty two Months, Rev. 13. 5. This Beast, (in the height of his Power and Victories) was by God himself, threatened to go into captivity, and be killed with the Sword, as he had led others into captivity, and killed them with the Sword, ver. 10. All his followers and worshippers shall (soon after) drink of the wine of Gods wrath, and be tormented with fire and brimstone, &c. Rev. 14. 9, 10, 11. The Saints at last shall get the victory over this Beast, Rev. 15. 2. And the Beast himself (notwithstanding all his former Victories, Friends, and great Armies) was at last taken, and his false Prophet with him; and were both cast alive into a lake burning with fire and brimstone, and all his Forces were slain with the Sword, and the fowls were filled with their flesh, Rev. 19: 18 19, 20, 21. From which Texts I have frequently silenced, confounded some of our conquering Army-Officers and Souldiers, whiles prisoner under them, when they were vapouring of their Great Victories, Successes, and concluding from thence, both their Saintship, and the Goodness of their Actions; saying oft-times like the Beasts followers here, *Who is able to make War with us?* And that with these genuine deductions from these Texts, which they could not reply against; worthy all Souldiers and others saddest meditations.

1. That God may, nay oft-times doth give great power to the very worst and most blasphemous of all Men and Beasts; & that not only over one or two, but many Tongues, Nations, as in this Text, and Dan. 7. 3, to 29. c. 8. 4. 10 27.

2. That such Beasts many times may, and do not onely make war with, but even overcome the very Saints themselves in battel, as the Babylonians, Assyrians, and other ungodly Beasts did the Israelites, Gods own Saints and People, Psa. 79. 1, 2, &c. Dan. 7. 21, 23, 24, 25. Isa. 10. 5, &c. c. 14. 16, 17. Jer. 26. 6, 7, 8. c. 25. 9. &c. yet they were but blasphemous Beasts, and wretches still, not Saints.

3. That if such Beasts have but Great Power and Success in their Wars, Enterprises against their Enemies, or the Saints them-

themselves; though their mouths utter blasphemy against the God of Heaven, his Name, Tabernacle, Saints; though their Actions, Designs be never so impious, atheistical, treasonable, detestable: their power but short and fading, yet whiles they are in Power and Prosperity, the whole world will wonder, run after, worship, flatter, Saint, Deifie and Adore them for Gods, (as (1) Alexander the Great, and Julius Casars friends, flatterers did them; and some wicked Popes Favourites them too;) yea, set up, and worship their very Images, receive their marks in their hands, foreheads, and extol them to the skies, saying, *Who is like unto the Beast? who is able to make war with him?*

(1) Pintarch
Arrianus,
Quintus Curti-
us, Suetonius,
Grimston, in
the life of A-
lexander, and

4. That such adulations Speeches, Vaunts, Practises as these, and such Arguments of Saintship, of the Goodnesse of mens causes, undertakings, actions, only from their present Power, Victories and Successes, are the arguments, practises, of worldly, earthly, beastly men; of worshippers of the Beast and Dragon of (2) Assyrians, Turks, Popes, not of the elect real Saints of God, *whose names are written in the Lambes Book of life*; who will neither flatter, worship, nor adore such Beasts, nor receive their marks in their hands or fireheads, though they be prohibited to buy or sell, or staine for refusing it by their Instruments, Rev. 13. 8, 15, 17. Dan. 3. 12. 10 29.

Julius Caesar,
Balens, his
Lives of the
Popes. Mor-
nyes Mystry
of Iniquity.

(2) 2 King. 18.
33, 34, 35. c.
19, 17, 18, 19.
11a, 10, 7, to 16.

5. That such Beasts in power, will never want under-Beasts and Instruments, nor yet (a) false Prophets to persuade or enforce Obedience and Subjection to them, even by dis-franchisements, death, lying wonders, flattering Prophecies, Speeches, Sermons, and Hypocritical Mock-fasts.

(a) Rev. 13. 1.
to 18. c. 16, 13.
14. c. 19, 20.
1 King. 22. 6.
to 24.

6. That the Power and Dominion of such Beast, is given and derived to them immediatly by the Dragon (the (b) Prince of the power of the Air) only by Gods permission, not his approbation; Rev. 13. 2. Hos. 8. 4. 2 Thess. 2. 4, 8, 9. And that in wrath, for the punishment of the Peoples sins, and destruction, greater condemnation of the beasts themselves at last. Hos. 13. 11. Rev. 13. and 14, and 19. Psal. 94, 23. Ier. 51. 24, & c. c. 52. throughout. Hab. 2. 6, 7, 8.

(b) Ephes. 2. 2.

7. That

7. That this their Dominion, Raig and Triumph, is commonly very short, like this *Beasts* here for forty two Months, *Rev.* 13. 5. which is but three years and an half. (c) *Julius Caesar* that great first Conqueror of this *I-land* and a great part of the *World*; usurping the supream Power over the *Roman Senate*, and changing the Government, lived only FIVE MONTHS A SOVERAIGN LORD IN PEACE (though some compute his whole dominion 3 years and 7 months) and then was suddenly stabbed to death in the Senate-House, by those friends in whom he reposed greatest trust; for his Tyrannical Usurpations, and alteration of their former Government; for endeavouring (as was suspected) to make himself KING OF THE ROMANS, (though he rejected the Title of King when offered unto him by *M. Antonius*, saying, That *Jove* was only King of the Romans, that so he might seem to be compelled to receive it by the people, (being their King before in deed, though not in name:)) and for saying, That the * *Commonwealth* was but a Voice or Name, without a Body or Substance. *Nullum violentum est diuturnum*, See *Isa.* 10, and 14. *Iob.* 20. 4, 5, &c. *Psal.* 37 and 73. *Psal.* 92. 6, 7. *Isa.* 17, 13, 14. 2 *Chron.* 23. and Sir *Walter Rawlies* Preface to his *History of the World*, worthy serious perusal by the Grandees of these times.

* Do not some now by words and deeds, repute it and the People for

8. That in conclusion such Conquering, Usurping Beasts, notwithstanding all their Power, Friends, Followers, Confederates, Armies, Policies, are usually conquered, taken, slain on Earth, and cast into the Lake burning with fire and brimstone for ever, for their Tyrannies, Blasphemies, Bloodsheds Oppressions of the People and Gods Saints, and their Confederates, Armies, false Prophets, followers, adorers * destroyed with them even on earth; and then made to drink the Cup of Gods wrath, fury and torments for ever in hell, *Isa.* 10, and 14. *Jer.* 50. and 51. *Rev.* 19. 19. 20, 21. c. 6. 15, 16, 17. 9: That though they continue Conquerors and victorious for many years; and conquer not only, one, two or three, but many Kings and Kingdoms; cut off not only the thumbs of their Kings, that they might not lift up a Sword against them, and their great toes, that they may not run

* See *Mat.* *west. an.* 655. 1 *Kings* 16. 2 *Kings* 15. 2. *Chron.* 13. 17, 18, 19, 20. and our King *Richard* the third.

run from them, but their *Heads* too; Yet God at last (in ^{* See the Turkish History in his life.} his retaliating Justice) doth usually pay them home in their own coyne, as is evident, not onely by ^{* See Huntingdon, Mar. west. An. 655. Grafton, Speed, Hulinshed, Fabian Brompton, in the life of Penda.} *Rajazer the Turkish Emperour*, our ^{*} King *Penda*, (who slew no lesse than 5. Christian Kings in several battles, took sundry other Kings prisoners, and at last was slain himself, with all his old victorious Captains and Souldiers, by King *Oswi*, and a small despicable Army of raw Souldiers, not half so many as they, Ann. 655. who thereupon seized on his Kingdom) and others in prophane Stories; but by that memorable History of (d) *Adonibezek*; who after his Conquest of no less than ^{(d) Judg. 1.2. to 8.} seventy Kings, (who ever in this latter age, conquered one quarter so many?) and tyrannizing over their persons, was, by a small party of *Judah* and *Simeon*, fought with on his own dung-hil, his victorious old Army totally routed, ten thousand of them slain, himself forced to fly, pursued, and taken prisoner by these contemptible Enemies, who cut off his thumbs and his great toes. Whereupon *Adoni-bezek* (though an idolatrous Canaanite) used these memorable words, worthy all Conquerours and Tyrants memorial; recorded by God himself to all Posterity, *Judges* 1. 7. Threescore and ten Kings having their thumbs, and their great toes cut off, have gathered their meat under my table (like so many Dogs rather than Kings) AS I HAVE DONE, SO GOD HATH REWARDED ME: and they brought him (Prisoner) to *Ierusalem*, and there he died. See the like retaliation threatned, inflicted. *Hab.* 2. 6, 7, 8. *Isa.* 33. 1. *Dan.* 7. 23. to 27. *Obad.* 15. *Ezech.* 35. 5, 6, 15. *Rev.* 16. 5. 6. *Ier.* 51, and 52. *Nab.* 3. 1, &c. ^{(e) See Joel 3. 6, 7, 8. Mar. 26. 52. Sir Walter Rawleighs Preface to his History of the world, & Dr. Beards Theatre of Gods Judgements, on the 6 and 8 commandments.} *Rev.* 13. 10. *Isa.* 10. & 14. 2 *Chron.* 22. 10. compared with c. 23. 12. to the end.

10. That the Elect Saints of God, do by faith in the Word of God, and upon consideration of the usual Providence and Justice of God towards such Beasts and bloody Conquerours, most assuredly see their downfall, and with patience expect it, *Rev.* 13. 9, 10. If any man have an ear let him hear. (e) HE THAT LEADETH INTO CAPTIVITY, SHALL GO INTO CAPTIVITY; HE
M THAT

THAT KILLETH WITH THE SWORD, MVST BE KILLED WITH THE SWORD: Here is THE PATIENCE AND THE FAITH OF THE SAINTS. O that we had this Patience and Faith within us now !

11. That upon this Faith and Assurance, the true Elect Saints of God, *neither will, nor do, nor dare to admire after, follow, worship or adore such Beasts, or their Image, nor receive their marks in their hands, or foreheads, though all the world else readily do it without opposition; enduring patiently rather to be warred upon, killed, secluded from buying or selling any thing, then unchristianly to adore, subject, or enslave themselves unto them, Rev. 13. 2, 15, 17. Esther 3. 1, to 7. 2 Kings 3. 13, 14. John 10. 4, 5. Dan. 3. 4. to 30. 1 King. 19. 18. 2 Chron. 11. 13. to 18.*

Which serious seasonable considerations, as they should daunt the hearts and allay the high Presumptuous Spirits of the most Successfull Conquerors, Powerfull Usurpers over, and violent Invaders of the Liberties, Lives, Estates, Rights, Properties of their Lawfull Superiors or Christian Brethren, and all Subverters of the Laws, Priviledges, Parliaments, Government of their Native Country, especially against their Oathes and Trusts : So the Meditation on them, together with the contemplation of the infinite Power, Wisdom, Faithfulness, Justice, Holiness, Presence, and gracious Promises of God, have at all times and seasons hitherto, invincibly animated, steeled, fortified my Soul in the midt of all my sufferings, both under the domineering Prelates, Parliament-assaulting Army-Officers, the late Tyrannical cashiered Republicans, and all other self-created oppressing Powers, which (if not already dead and buried in the dust, with all their thoughts and high aspiring Projects,) yet shall certainly (f) *die ere long like men, and become us dung; yea, they have enabled me by Faith and* Patience, to be (g) *more than a conquering triumpher over* them : and to sing aloud with magnanimous David (a man after Gods own heart) long before their down-fall, Psal. 27. 1, 2, 3. *The Lord is my Light and my Salvation, whom shall I fear? The Lord is the strength of my life, of whom shall*

(f) Isa. 51. 6.

12. c. 26. 13, 14.

Psal. 82. 7.

Psal. 146. 354.

(g) Rom. 8. 36.

37. Psal. 3. 6.

I be afraid? When the wicked even mine enemies and my foes came upon me to eat up my flesh, they stumbled and fell. Though an Host should encamp against me (as they did at Westminster, at my House, and in sundry Garrisons, where I was a Prisoner under Souldiers) my heart shall not fear: though war should rise against me, in this I will be confident. I will not be afraid of ten thousands of people that have set themselves against me round about. And to cry out in Pauls words of defiance against all Enemies and Perils in the cause of my God and Country (uttered in his own and all true Elected Saints names) Rom. 8. 35, &c. Who shall separate us from the love of Christ? (or our Native Country, as well actively as passively considered;) Shall tribulation? or distress? or persecution? or famine? or peril? or SWORD? (of an whole Army, or other Powers) Nay, in all these things we are more than Conquerors through him that loved us. For I am persuaded, that neither death, nor life, nor Angels, nor PRINCIPALITIES, NOR POWERS, nor things present, nor things to come, nor height, nor depth, nor any other creature, shall be able to separate us from the love of God, which is in Christ Jesus our Lord. And to say with him in all threatned Dangers for my sincere conscientious publick Services, Act. 20. 22. 24. And now I go bound to Jerusalem, not knowing the things that shall there befall me, save, that the Holy Ghost witnesseth in every City, saying; That Bonds and Afflictions wait for me. But none of these things move me, neither count I my life dear unto me, so as I may finish my course with joy, and the Ministry which I have received of the Lord Jesus, &c. And verily me thinks the serious contemplation thereof, and of all the premises, with that of 2 Sam. 10. 12. Isa. 51. 12. 13. Jer. 1. 8. Ezech. 2. 2, to 6. Matth. 10. 26. 28 coupled with Psal. 11. 2. If the foundations be destroyed, what can the righteous do? Prov. 24. 22, 23. My Son, fear thou the Lord and the King, AND MEDDLE NOT WITH THOSE WHO ARE GIVEN TO CHANGE; For their calamity shall rise suddenly (which we have seen verified in many late Changers, Mock Parliaments, and self-created new Powers,) and who knoweth

the ruine of them both? should now at last banish all base carnal fears out of all timorous hearts, rouse up the languishing, fearfull, dead, stupid Spirits of our degenerated *English Nation*, and engage them all unanimously, undauntedly to claim, vindicate, regain, re-establish those ancient undoubted *Hereditary Fundamental Rights, Liberties, Priviledges, Franchises, Laws, Government*, (purchased with their *Ancestors* & their own dearest *Blood, sweat, Treasures*) which belong to the whole Kingdom; to all true *English Parliaments, Freemen* in general; and to every of them in particular; whereof they have of late years been forcibly disseised, or hypocritically cheated by pretended *Patrons, Preservers*, and *Propugners* of them; the substance whereof I have here set before their eyes in ten brief *Propositions*, and by *Records, Statutes, Presidents, Histories, Contests, Resolutions* in all ages, undauntedly, (as their *Common Advocate*) asserted, fortified to my power, for their *Encouragement* and *president* in this publick work. And if they will now but courageously second me herein, with their joyn^t, bold, rightfull *Claims, Votes, Declarations, and Resolute Demands* of all and every of their enjoyments, and future inviolable *Establishments*; with strenuous *Oppositions* of all illegal perpetual *Imposts, Excises, Contributions, Payments* (the chief nerves and cords to keep them still in bondage by *Mercenary Forces*, supported only by them to keep them still in slavery) according to their *Oaths, Vows, Protestations, Duties*, manifold late *Declarations, Remonstrances, Solemn League, Covenant*, and the encouraging memorable *Presidents* of their *Ancestors* in former ages here, recorded; I dare assure them (by Gods blessing) a desired *good-Success*, whereof their * *Ancestors* never failed: no mortal Powers nor *Armies* whatsoever, having either *Impudency* or *Ability* enough to deny, detain them from them, if they will but (b) generally, unanimously, courageously, importunately claim and demand them as their *Birth-rights*. But if they will still basely disown, betray, and cowardly desert both them and their *Affertors*, and leave them to a single combat with their combined Jesuitical enemies (whom

* See Part. I.

p. 14, 15, 16.

(b) See 1 Sam.

8:4, to 22. ch.

12. 2. 2 Sam.

18. 2, 3, 4. Jer.

38. 5.

(whom none take care to discover, suppress or banish out of our Realms, where they now swarm more than ever) and *Armed Invaders*; the Fate of our old *English Britons*, when they improvidently neglected to unite their Councils, Forces against, and fought only singly with the invading united *Armies of the Romans*, is like to be *Englands* condition now; (i) *Dum pugnant singuli, vincuntur universi*: the single Champions of our Liberties, Laws, Rights, will be easily over-powered, destroyed, for the present; and all others (by their unworthy *Treachery* and *Baseness*, in not adhering to, but abandoning their present Patrons) discouraged, disabled to propugne, regain them for the future: and the whole *Kingdom* vanquished, yea enslaved for eternity in all humane probability, to those who have broken your (k) former yokes of wood, but instead thereof have made for, and put upon you yokes of Iron: and by the Jesuites Machiavilian Plots and Policies, will reduce you by degrees under a meer Papal yoke at last, having deeply leavened many in power and arms, with their forementioned most desperate Jesuitical Positions, Practices and Politicks, which will soon usher in the whole body of Popery, and all damnable Heresies whatsoever, by degrees, to the ruine of our Religion, as well as Laws and Liberties.

(i) *Tactus in vita Agricole.*

(k) Jer. 28.
13, 14.

Wherefore, seeing it neither is, nor can be reputed *Treason, Felony, Sedition, Faction*, nor any *Crime* at all, but a commendable bounden Duty, to which our *Protestations, Oaths, Leagues, Covenants, Reason, Law, Conscience*, our own private and the publick Interest, Safety of the Nation engage us, for all and every *Freeborn Englishman*, joyntly and severally to claim, maintain, preserve, by all just, honourable, publick and private wayes they may, their unquestionable Hereditary Birth-rights, Laws, Liberties, Parliamentary Priviledges, &c: here asserted and presented to them, after so much *Blood, Treasure, Labour* spent to rescue them out of the hands of old and late oppressing *Tyrants*; nor any *Offence* at all, but a *praise-worthy service* now in me, or any other, publickly to encourage them to this duty, (and the strenuous defence of our endangered undetermined

mined Protestant Religion, subverted with our Laws & Liberties, and *living or dying together with them*) at this present season, as I have done heretofore upon all occasions; And seeing none can justly censure them or me, for discharging our *Oathes, Consciences, Covenants, Protestations, Duties* in this kinde, but such as shall thereby declare themselves *Publick Enemies* and *Traytors* to the whole Nation, Laws, Government, Parliaments of England, as the Resolutions, Presidents, * herein cited, yea their own *best friends*, (and our † Reformed Religion too) have already adjudged them: And seeing * Sir Thomas Fairfax and the General Councel of his Army, held at Putney Sept. 9. 1647. in their Declaration, concerning THE FVNDAMENTAL AVTHORITY & GOVERNMENT OF THE KINGDON; printed by their appointment, in these words: *Whereas a Member of the General Councel of this ARMY, hath publickly declared and expressed himself, THAT THERE IS NO VISIBLE AUTHORITY IN THE KINGDOM, BVT THE POWER & FORCE OF THE SWORD, (as others of them say since, and now both by words and deeds, without controll.) We therefore the said GENERAL COUNCEL (to testifie, How FARRE OUR HEARTS & MINDS ARE FROM ANY DESIGN OF SETTING UP THE POWER OF THE SWORD ABOVE OR AGAINST THE FUNDAMENTAL AUTHORITY & GOVERNMENT OF THE KINGDOM, & OUR READINESSE TO MAINTAIN AND UPHOLD THE SAID AUTHORITY:) have by a Free Vote (in the said Councel, no man contradicting) judged the said Member, TO BE EXPELLED THE SAID COUNCEL. Which we hereby thought fit to publish, as A CLEAR MANIFESTATION OF OUR DISLIKE & DISAVOWING SVCH PRINCIPLES OR PRACTISES, (which notwithstanding they have since avowed, pursued in the highest degree; and I desire them now to repent of, reform, and really make good) have engaged to maintain and propugne with their Swords, what I here endeavour to defend, support, with my Pen. And seeing they intituled their Printed Papers,*

* Part. I. ch. I.

† See the Homilies against Disobedience, & wilfull Rebellion.

* A Declaration of the Engagements, Remonstrances, & Resolutions of Sir Tho. Fairfax, & the General Councel of the Armie, London, 1647. p. 150.

*A Declaration of the Engagements, Remonstrances, Representations, Proposals, Desires, and Resolutions, from his Excellency Sir Tho: Fairfax, and THE GENERAL COUNCEL OF THE ARMY, for settling OF HIS MAJESTY IN HIS JUST RIGHTS, The PARLIAMENT in their JUST PRIVILEGES, and the SVBJECTS in their LIBERTIES & FREEDOMS. Also Representations of THE GRIEVANCES OF THE KINGDOM, & REMEDIES PROPOVNDLED, for REMOVING THE PRESENT PRESSVRES WHEREBY THE SVBJECTS ARE BURDENED (and EXCISES, TAXES amongst the rest) And the Resolutions of the Army, For the establishment of a firm & lasting peace IN CHVRCH & KINGDOM, printed by their own, and the Lords House special Order, London 1647: the self-same things I here contend, plead for, (which I wish they would now really make good by their future consultations and actions to avoid the just censures of meer Hypocrites and Impostors, as the whole World will else repute them.) I shall therefore exhort not only the whole Army, Army-Officers, and their General Council; but likewise the whole English Nation, and all real Lovers of their own or their Countries Liberties, Peace, Laws, Ease, Safety, Religion, and future establishment in this common Cause, in the words of the Philistines one to another in a time of need, when they were greatly affraid, 1 Sam. 4. 9. Be strong and (1) quit your selves like men. O ye Philistines, that ye be not servants to the Hebrews, as they ⁽¹⁾ 1 Cor. 16, have been to you: quit your selves like men, fight, &c. That ^{13.} so (as the Apostle writes in the like case, Phil. 1. 27, 28.) Whether I come and see you, or be absent from you, I may hear of your affairs, that ye stand fast in one spirit, with one mind, striving together for the faith of the Gospel; (and the ancient Fundamental Laws, Liberties, Rights, Priviledges, Parliaments, Government and Religion of our Realm, which the Jesuites and their Instruments make their Master-piece totally to undermine and subvert) And in nothing terrified by your Adversaries, which is to them an evident token of Perdition, but to you of Salvation, and that of God. If the Pre-
sences*

(m) Recorded
in Livy, Tully,
Plutarch, Val-
erius Maximus,
and others.
*Ecce honesta
agna Imperio,
digni populo
Romano, omnia
pericula pro Re-
publica subire,
mori pro patria.*
Cicero de Fini-
bus bonorum,
&c. p. 365.
and Tusc.

Quæst. p. 445.

sidents of your renowned Ancesters here recorded; the Pa-
terns of (m) many gallant Pagan Romans, Gracians, who have
spent their Lives, for their Countries, Laws, Liberties; Or if
my example and these my *Lucubrations* shall provoke you
hereunto; I shall think my labour well bestowed; and you
and your Posterities worthy to live like *English-Freemen*.
But if you wil now neither manfully demand, speak, nor con-
tend for them any more, out of a slavish fear of a *prevailing*
Army raised only for their just defence, or any other hu-
mane Powers whatsoever; nor once adventure with uni-
ted Spirits now at last, so much as confidently, boldly to ask
these your unquestionable Birthrights at the Thrones of any
mortal Grandees, your Fellow-Subjects, when God Almight-
y himself commands you, to come with boldnesse to his celesti-
al Throne of Grace, that you may obtain (not meer right as
here, but) Mercy it self, and Grace to help in time of need,
Heb. 4. 16. *Qui timide rogat, docet negare*; you can neither
hope for, nor ever obtain them for the future, but deserve
eternally to forfeit them, and you and yours to be made
slaves for ever: However I (though these Collections prove
successless) shal carry this as a comfortable Cordial with me
to my grave, That I have faithfully discharged my Conscience
and bounden Duty to my degenerate Native Country, by en-
deavouring all I could both to make and preserve it free indeed;
to detect and prevent all Jesuitical Plots and Practises, to
undermine, imbroyl, divide, subvert, ruine it; and used
my utmost sincerest constant endeavours in my place and
calling herein. But if through the Malice, Tyranny or In-
justice of any prevailing Enemies of publick Freedom, or
Jesuitical Agents, I shall chance to suffer for it in any kind,
(as I have formerly done for most of my publick services of
this nature) be it close-imprisonments, Fines, Pillories, Stig-
matizings or Death it self; I shall onely say beforehand, as
Gregory the Great did heretofore: Indiſt. 2. Epist. 78. *In*
causa qua Deo placere cupio, homines non formido: and as
noble Heroick Esther did, in a like publick case for her en-
dangered captivated Nation, (n) *If I perish, I perish*: and
this my unrighteous suffering, shall be a new Glorious
Crown

Crown of Martyrdom to my head, both in earth and in (o) hea- (o) 2 Co. 4. 16.
ven it self: when the Crowns, Names, Fames of all my 1 Tim 4. 7, 8.
causeless malicious Enemies, Adversaries, Persecutors, and
all Enemies to our Laws, Liberties, Priviledges, Parliaments,
Kingdoms, Church, Religion, shall fade, stink, perish like
dung, and be had in perpetual execration in all our three
Kingdoms; yea, my Bonds, Blood, Booke, shall (I hope)
through Gods own blessing on them, prove SEMEN EC-
CLESIAE, REIPUBLICAE, REGNI, LEGUM, LIBER-
TATUM, AC PARLIAMENTORUM ANGLIAE, in
future ages, when their carcasses, who are publick Ene-
mies to, and subverters of them, shall lie rotting in their
Graves, and their Souls (without sincere repentance) be
scorching, roaring in infernal flames: nay, they shall rise up
in Judgement against and condemn them before all the Tri-
bunals in Earth and Heaven, both now, and hereafter at
that Great Judgement-day, when I, they, and all mankind
shall and must (p) appear naked, upon equal terms, (stript (p) 2 Cor. 5.
quite of all armed guards and earthly greatness, to secure 10, 11. Mat.
them from being brought to Judgement) before the Tribu- 25, 31, 32.
nal of Jesus Christ himself, (in the view of all the Holy An-
gels and Mankind, to give an account of all the things don in the
body in this world, according to that I and they have done, whe-
ther is be good or evil; When all Hypocritical Masks, Dis-
guises, Carnal State-policies of pretended Necessity, Publick
Safety, Danger, Justice; with all other Machiavillian un-
righteous Practises to gild over the most unrighteous, impi-
ous, oppressing, bloody, treasonable, perfidious publick
Actions, will prove but so many Aggravations of Politi-
cians Crying Sins, and of their eternal punishments for
them.

To draw towards a conclusion; I shall recommend to the whole *English Nation*, and all cordial well-wishers to the Prosperity, Peace, Settlement of our distracted Kingdoms, Churches, and endangered Religion, either in or out of power, these five Considerations more, which have deeply affected my Spirit, and particularly engaged me in this Undertaking, for their better information, and

our common preservation from total and final impendent ruine.

(a) *reasons*
Quodlib. l. 5. c. 9.
Quod. A. 1. 10
p. 332.

1. That (a) *Father Parsons*, the trayterous English Jesuite and his *Iesuitical society*, some years since prophesied: *That they have it by revelation, that by special commandment from God, their ORDER AND SOCIETY was miraculously instituted for this end, to work a DISMALL CHANGE amongst us: that the time is come, WHEREIN ALL LAWS, CUSTOMS AND ORDERS MUST BE ALTERED, AND ALL THINGS TURNED UPSIDE DOWN: and that they, being the only men that have the name, office and authority of Iesus, BY THEM IT IS, THAT THIS MARVELLOUS CHANGE & ALTERATION SHALL BE WROUGHT, in such sort, AS FROM THE BEGINNING OF THE WORLD WAS THE LIKE NEVER HEARD OF BEFORE TO THIS PRESENT.* And may we not then justly suspet & fear, conclude, that all our late dismal changes, and turning all things upside down in our Church, State, Kingdoms, Parliaments, were originally promoted, contrived by the Iesuites, and effected by the seduced Officers and Souldiers, as their deluded instruments? And can we then cry them up for such transcendent rich Mercies, Deliverances, Pledges of Gods Love and special Favours to our Kingdom, Nation; as some now Proclaim them to the world, because themselves have gained so much unrighteous Power, Treasure, Possessions for the present, by these changes and ruines of our Kingdome? Or shali we peremptorily deny them to be originally contrived, promoted by the *Iesuits*, and immediately effected by their seduced Instruments, because *they have been likewise brought to passe by Gods own permissive Providence, in Wrath, Iustice, as a deserved punishment for our manifold crying finnes (not in Mercy towards us)* as *Hosea 10. 3. c. 13, 5. c. 13. 1, 2, 3, 7, 8, 9, 11, 16. Prov. 28. 2. Isa. 17. 1. to 11. Ezech. 17. 12. to 24. c. 23. 3. to 17. 1 Sam. 8. throughout. 2 Chron. 11. 13. to 19. c. 25. 20, &c. Jer. 18. 7, 8. c. 17. 25, 26, 27. c. 22. 4. to 13. Dan. 2. 21. c. 5. 26. to 31. Isa. 19. 2, 3, &c. fully resolve? Surely, as Gods*

per-

Nota.

permissive, ordering, over-ruling Providence, doth no wayes justify nor extenuate the guilt of any Traytors, Rebels, Murderers, Conspirators sinnes, Treasons, rebellions, Murders, Regicides, Conspiracies, Rapines, Oppressions, or Wicked Devices, which he permits them to plot, act, accomplish; so it doth in no wise exempt them in Gods or Mens esteem from being the true Original Plotters, Contrivers, and immediate instrumental Actors of them; nor from the divine or humane Punishments which they in justice demerit; as is most evident by Gen. 50. 15. to 21. Psal. 37. 7. 9. Prov. 24. 20, 21, 22. Job 20. 5, 6, &c. 1 Kings 12. 12. to 25. c. 15. 23. to 30. c. 16. 1. to 30. specially ver. 7, 8. 2 Kings 11. 1. to 17. c. 14. 5, 6. c. 15. 8. to 32. c. 17. 21, 22. 1 Sam. 8. 2 Sam. 1. 2. to 17. c. 4. throughout. Hes. 1. 4. c. 8. 4, 5. 1 say 29. 15, 16. c. 10. 5, 6, 7, &c. Acts 1. 16. to 21. c. 2. 23. 1 Thess. 2. 14, 15, 16. Mat. 27. 3, 4, 5. compared together. And if we should look upon all our late Changes, Revolutions in our Kingdoms, Government, Church, Parliaments, Religion, Laws, (wrought by the Jesuites and their Instruments) as the meer wonderfull immediate Productions and Glorious Operations of God himself in the World, and upon the instruments imployed in them, only as Gods own precious chosen Saints and Servants, accomplishing nothing but his own determinate Will, Providence, Councel, (though to satisfie their own ambition, covetousnesse, malice, rapine, blood-thirstinesse, lusts) as many now proclaim them, and not as Conspirators, Treacherous, Perfidious, Pernicious Malefactors in the highest degree, as well as Jack Cade, Wat Tyler, Strafford, Canterbury, or the murderers of our Saviour, Josiah, Ishboherb, with other Kings heretofore, and of Henry the 3. and 4. of France, of late; there should then be no Traytors, Conspirators, Murderers, Sinners, Treasons, Conspiracies, Murders, Sinnes, in the world (being all perpetrated by Gods permissive Providence) no Law, nor Hell to punish them; and it would be no less than a direct resisting, fighting against God and his Providence, for any Christians, Kingdoms, Kings, or Loyal Subjects, to pray against, resist, oppose the Treasons, Murders, Conspiracies, Usurpations,

Rebellions, Innovations, Plots, of any *Iesuites* or *Romish* Emissaries, or their under-Agents, against our Kings, Kingdoms, Governors, Parliaments, Laws, Liberties, Government and Religion; which would be professed *Blasphemy*, or *Frenzy* at least, for any man to affirm.

2. That this *Iesuite Parsons* in his *Locks of the Reformation of all the States of England*, as he prescribed Reforms to the Prince, Court, Counsellors, Noblemen, Bishops, Prelates, Pastors, Universities, Lawyers, Laws, in which he will have **STRANGE METAMORPHOSES**; so likewise, **THE COVRT OF PARLIAMENT HE WILL HAVE BROUGHT TO BETTER FORM**, as *W. W.* (a secular Priest) in *A Dialogue between a Secular Priest and a Lay-Gentleman*, printed at *Rhemes*, An. 1601. p. 95. *Watson* in his *Quodlibets*, p. 92. to 96. 320. to 334. *William Clark* (a secular Priest in his *Answer to Father Parsons Libel*, p. 75. &c.) in direct terms attest. And may we not then justly suspect, that the late New-models and Reformations of our Kingdoms, Parliaments, Government, Laws, &c. (originally promoted by our * *Army Counsels*, and Officers) proceeded primarily from the *Iesuites* Projections & Plots against them, if the Statutes of 23 *Eliz. c. 1.* 27 *Eliz. c. 2.* 35 *Eliz. c. 2.* 3. *Iac. c. 1.* 2, 4, 5, 7. 7 *Iac. c. 6.* and the manifold Declarations of both Houses of Parliament, *Exact Collection*, p. 491, 492, 497, 498, 616. 631, 666, 698, 813, to 828. may be judges?

3. That the *Iesuites* drift directly is (immediately by means of * **CONQUEST** intended for England) to bring it and all *Christendom* into an uproar, **FOR COMMON SOLDIERS TO EXAMINE THEIR SOVERAIGNS, WHAT TITLE THEY HOLD BY**; that thereupon themselves by craft, money and multitudes gathered together through their Policy, may bring England, (and then) Spain, and all the rest under their subjection and Monarchy: And that principally by this *Iesuitical* Position; That every *Prescopie* or *Tartarian* multitude, getting once the stile and title of a **PUBLICK STATE**, or **HELVETIAN COMMON-WEALTH**, may alter, change and innovate the course of inheritances

* See their printed Declarations of June 14. 23. Aug. 1. 2. 1647. Their Agreement of the People, Jan. 1648. & Government of the Commonwealth of England, 1654. moulded by them.

* Do not many now boast, talk, write of such a Conquest by the Army over England?

heritances and succession TO CROWNS AND KINGDOMS, and also to every private Persons heritage holden in Fee-simple: as (b) William Watson assures us in these very terms. And whether the Jesuites have not instructed our Army-Officers and Common Souldiers upon this pretext, and for this very end, to examine their Sovereigns, yea, our Parliaments Titles, Priviledges, and Powers too of late, and dispossesse of, reject, suppress them at their pleasure; let themselves, the whole Nation, with all in present power, in the fear of God, most seriously consider, without passion or affection, before it be over-late.

4. That the Oathes of Supremacy and Allegiance (which all Members of Parliament ought by Law to take, before they can sit, or vote as Members) specially made and prescribed by our most wise, zealous (c) Protestant Parliaments, to prevent the Treasonable plots and designs of Popes, Jesuites, and Papists, against our Protestant Princes, Realms, Parliaments, Religion, though confirmed by many Statutes, and containing in them, only the Declaration of such a Duty, as every true and well-affected Subject, not only by the bond of Allegiance, but also by the COMMANDMENT OF GOD, ought to bear to the King, his Heirs and Successors; and none but * persons infected with Popish Superstition formerly oppugned, (as the Prologue of the Statute of 7 Jacobi c. 6. positively resolves) have by late State innovators, not only been discontinued, suspended, but declaimed against and repealed (as much as in them lay) as (d) UNLAWFUL OATHS; the old Lawes against Jesuits and Popish Seminaries, discontinued, abrogated, or coldly executed. (e) The New Oath for abjuration of Popery, with all Bills against Jesuites and Papists, presented to the late King by both Houses the last Parliament, and by him consented to in the Isle of Wight, wholly laid aside, and quite buried in oblivion. The Solemn Protestation, League and Covenant, prescribed by the last Parliaments taken by all the well-affected in all the 3 Kingdoms (to (f) prevent the dangerous plots of Papists, Jesuites, and our common enemies to destroy our Religion, Churches, Realms, Government, Parliaments, Laws, Liberties) quite

(b) Quodlibets, P. 322, 323, 333, 334.

(c) 1 Eliz. c. 1. 5 Eliz. c. 1. 1 Jac. c. 4. 3 Jac. c. 4. 5. 7 Jac. c. 6. 16 Caroli. The Act for Triennial Parliaments.

* See J. E. his Right & Jurisdiction of the Prelate and the Prince: cap. 15. Becanus, Bellarmine, Lessius, Endemon Johannis, & others against this Oath.

(d) See the printed Edicts repealing the, & enforcing the Engagement, An. 1649

(e) See the Propositions for the Treaty.

(f) See the Preface to the Covenant.

(g) See the Edicts for the Engagement, An. 1649.

antiquated, decr'd, detested, and a (g) New Engagement forcibly imposed under highest penalties and disabilities upon all men, diametrically contrary to these Oaths, Protestations and Covenants, which have been (by a new kind of Papal power) publicly dispencc'd with, and the people absolv'd from them, to become sworn Homages to other new self-created Lords and Masters. And are not all these, with the late Proclaim'd Universal Toleration and Protection of all Religions, to considerate zealous Protestants, strong Arguments of the Jesuites Predominancy in our late counsels, transactions, and changes of publick Government?

5. That the Notion of THE PRESENT GOVERNMENT, (in my weak apprehension) derived its original from the Jesuites late-invented (h) PRESENT CHURCH, the only Supream Power and Judge of Controversies, which all men must submit unto, by a meer absolute blind Obedience, and implicit faith, without dispute by their determination: as they must do, by a like Jesuitical blind obedience (newly taught and obtruded on us) to that present Republican Government, and new Optimacy, and Popularity, lately set up instead of our Monarchy. Which two forms of Government, and want of a King and Monarchy, as they are the punishment of a peoples sins, and the Transgressions of a Land by Gods own resolution, not a Mercy. Hosea 10. 3. c. 1. 4. Jer. 18. 7. Prov. 28. 2. Ez. 19. 14. Lam. 4. 20. c. 5, 7, 8, 12. so they were the inventions of Factionous Grecians at first, which

* put all their Cities into Combustions, fury, frenzy, and civil wars against each other, to their utter overthrow in conclusion: witness these verses of (i) Heniochus, a Greek Comedian:

Tum gemina ad illas accesserunt Mulieres (TITAS QUÆ CUNCTA CONTURBARUNT: OPTIMAE Est nomen alteri: alteri POPULARITAS; (RUNT. Quarum incitatu PRIDEM EXTERNATÆ FU-

So the Jesuits, (k) Parsons, (l) Campanella, (m) Car. Rich. lian, designed to introduce & set them up amongst us in Engl. Scott. and Ireland, of purpose to divide, destroy us by civil wars and combustions, and bring us under their Jesuitical power at last,

(h) Bellamini de Pontif. Romano. Sir Hum: Linde his Via devia.

* Thucydides Hist. 1. 1. 3. Plutarch, Lyfander, Aristot. Polit. 1. 4, & 5. (i) See Grotius de jure Belli & Pacis, 1. 3. c. 15. p. 537.

(k) Watsons Quodlibets, p. 320, 321, 312, 332, 333.

(l) De Monar.

Hyp. c. 25.

(m) Conte de Gab. 250,

Gueldei morato

Hist. part 3. p.

175, 176.

as the marginal Authorities declare to all the world. And if this be undeniable to all having any sense of Religion, Peace or publick Safety left within their breasts, is it not more than high time for us to awake out of our former lethargy, & forbid, selfish stupidity, to prevent our ruine, by these and other forementioned Jesuitical practises? Or can any Englishman, or real Parl. be justly offended with me for this impartial discovery of them? Or for my endeavours to put all the dislocated Members and broken bones of our old inverted fundamental body Politick, into their ** due places, joints and positions again*, without which there is no more *(n) possibility of reducing it to its pristine health, ease, settlement, tranquillity, prosperity*, or of preserving it from perpetual pain, inquietation, consumption and approaching death, than of a natural body whose principal members continue dis-jointed, and bones broken all in pieces, as all prudent *State-Physicians* must acknowledge.

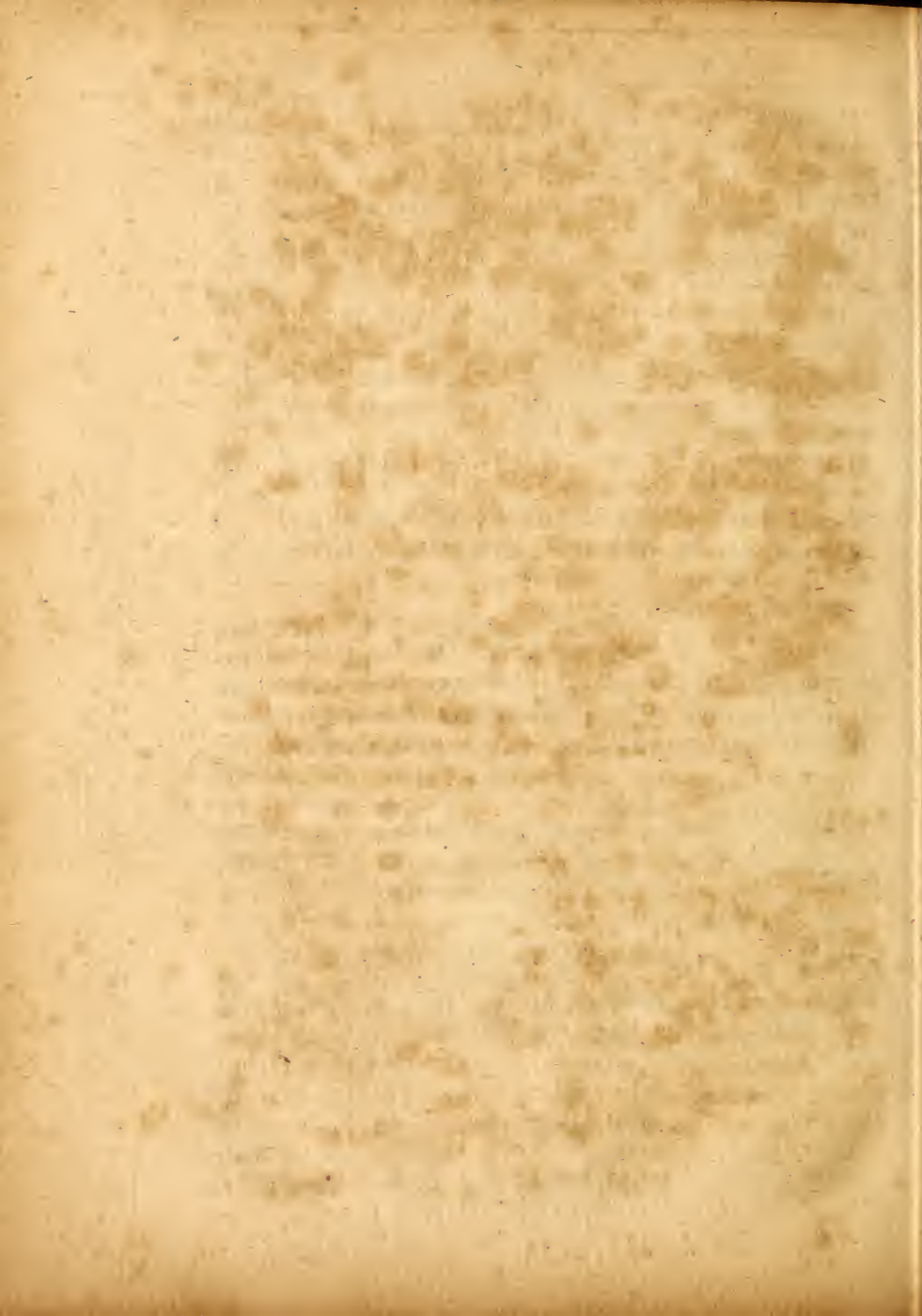
These five Considerations, together with the Premises; will I presume sufficiently wipe off all the malicious scandalous Imputations, which *Militiere* and other *Papists*, have injuriously cast upon the Principles and chief Professors of our Reformed Religion, in relation to the late exorbitant Proceedings against the King, Parliament, the publick Revolutions, Confusions, Ataxies both in our Church & Kingdoms; and retort them on the Jesuitical, Papal, seditious, Treasonable, Antimonarchical Principles and Professors of their Religion, especially the *Jesuits* and *French Cardinals* (*Militiere* his late Lords and Masters) the original Contrivers, and chief clandestine Promoters of them. as every day more and more discovers to the world. And withall abundantly justifie this my undertaking & impartial discovery of Jesuitical plots to ruin our Church, Religion, Kingdoms, Parliaments, Laws, Liberties, Government, against all malicious Enemies, Accusers Maligners whatsoever, before all the Tribunals of God or Men, where I shal be ready to justifie them upon all occasions. In perpetual testimony whereof, I have hereunto set my Hand, and by Gods Grace shall ever be ready to seal them and the truth of God with my blood, if called out to do it.

Swainswick, Aug. 12. 1654.

William Prynn.

** Optandū quidem est, si modo Respublica salva et incolumis futura sit, ut Civitatis partes omnes quidem sibi content, in suoq; statu permancant. At ut presenti statu gaudeant, Reges Regiæ dignitatis splendore commoventur; Optimates Senatoriæ, hæc enim illis pro virtutis sue premio est: populus Ephoriæ.*
Aristot. Polit. l. 2. c. 7.

(n) See 1 Cor. 12. 12. to 31. 25 H. 8. c. 22. 26 H. 8. c. 3. 1 Jac. c. 1, 2. 3 Jac. c. 1, 2.





A Seasonable Legal and Histo-

ricall *VINDICATION* and *Chronologicall Collection* of the good Old Fundamental Liberties, Franchises, Rights, Laws of all English Freemen; (their best Inheritance, Birth-right, Security, against all Arbitrary Tyranny, Egyptian Slavery and Burdens) of late years most dangerously undermined, oppugned, and almost totally subverted, under the specious feigned Disguise of their Defence, Enlargement, and future Establishment upon a sure Basis.

T is an universall received Principle, and experimentall truth, beyond all contradiction, That no naturall structure, no artificial building, no Civil or Ecclesiastical Corporation, Realm, Republike, Government, or Society of men; no Art or Science whatsoever, can possibly be erected, supported, established, preserved or continued in their being or well-being, without *FOUNDATIONS*; Whereon, as they were at first erected, so they must necessarily still depend, or else they will presently fall to utter ruine.

B

Hence

Hence it is (to wave all Humane Authorities in so clear a verity) that in Gods own sacred unerring a word of Truth, we finde frequent mention of the naturall *b Foundations* of the vast natural Fabrick of the Earth, Heavens and world it self; of the Artificial, Material *c Foundations* of the Material Temple, Walls, City of Gods own most famous *Jerusalem*; and of private Houses: of the spirituall *d Foundations* of the Spiritual Temple, City, *Jerusalem*, and whole Church of God; even *Jesus Christ himself*: of Doctrinal *e Foundations*, and first Principles of Religion, Christianity, Salvation: yea, of the Politicall *f Foundations* of Kingdomes, Republicks, Churches, Governments, States: Which being once shaken, undermined, subverted, razed, or destroyed, bring unavoidable ruine and desolation upon them, (*Psal. 111.3. Psal. 82.5. Jer. 50.15. & 51.25,26. Micah 1.6,7,9.*) Even as we daily see Castles, Walls, Houses to fall instantly to the ground, and become an heap of Confusion, when their *f Foundations* are blown up, decayed, or demolished.

Upon which consideration, those *publike Laws*, which establish, fence, fortifie, support the Fundamental Constitutions, Rights, Liberties, Priviledges of any Nation, Kingdome, Republique, (essentiall to their being and subsistence, as a free or happy people, against the Invasions, undermining, encroachments of any Tyrants, Usurpers, Oppressors, or publike enemies, are usually stiled *Fundamental Laws*; and have ever been reputed so sacred, inviolable, immutable, in all ages, upon any pretences of necessity, or publike safety, that most Nations, and our own English Ancestors above others, have freely chosen to hazard, yea, lose their estates, lives, in their just defence, against such exorbitant tyrannical Kings, and other Powers, who by force or policy have endeavoured to violate, alter, or subvert them; rather than out of a Cowardice, Sottishnesse, Carelesnesse, or want of cordial love to the Publike, to suffer the least infragment, repeal, or alteration of them to the inthralling of themselves or their posterities to the arbitrary wills of such domineering Tyrants and Usurping Powers.

Now

Now because, after all our Old and New (many years) bloody, costly, dangerous Contests and Wars, for the maintenance of our good Old Fundamental Liberties, Laws, Rights, Privileges, against all secret or open underminers of them, I clearly behold with grief of heart, that there is a strange monstrous generation of new Tyrannical State-Heretics, sprung up amongst us; who are grown so desperately impudent, as not only to write, but publicly to assert in print, in g Books printed by AUTHORITY, (even in g *Lilburn tried and cast p. 39, 142. to 148, 154. Cannes Voice from the Temple, which persuades the subversion and abolishing of all former Laws, especially for Tithes and Ministers support.*) That the Freemen and People of England have no such unalterable Fundamental Laws and Liberties left them by their forefathers (as our Ancestours heretofore contested for, both in the Field and Parliament-House, with William the Conqueror, Henry the first, King John, Henry the third, Edward 1. 2. 3. Richard 2. with other Kings and Princes; and our late Parliament and Armies too, with King James and King Charls.) That neither Magna Charta, nor the Petition of Right, nor the Laws for trying Malefactors by Juries of their Peers, are Fundamental or unalterable; but that the State Physicians (or rather Mountebanks) of our time (who are not tied up to them, but left free unto themselves) may lay them quite aside, either in part or whole, as they see cause. Yea, have now attained to such a super-transcendent Authority, that they may (as they assert) lay aside all Parliaments & Parliamentary ways, & appoint something else, as more seasonable and proper to us, and as Providence makes way for it, if they see it more conducing to the safety and good of the Commonwealth (that is, to their own privat Interests, Honors, Profits, Securities, Designes, Oppressions, Rapines, gilded over with this specious pretext) And then peremptorily conclude, That to plead for these and other fundamental laws and liberties, as unalterable, (though the only Bulwarks & Badges of our Freedome) is nothing else, but to enslave the Nation: for by such a Principle, people do not only lose their Liberty, but are brought under such a kinde of Tyranny, out of which (AS BEING WORSE THAN THE ÆGYPTIAN BONDAGE) there is no hope of deliverance.

An absurd Tyrannical Paradox, transcending any I ever yet met with in any Author; stripping us naked of all our long enjoyed Laws, Liberties, Franchises, great Charters at once; tending onely to reduce, and perpetually inthrall us under such an absolute *ÆGYPTIAN BONDAGE* and Tyranny, without any hope of future deliverance from it, which some now endeavour * to entaile on us and our posterities for ever, by an *Iron law*, and *Yoke of Steel*, in stead of restoring to us that glorious *Freedome*, which we have so long expected from them in vain.

* See the Government of the Common-wealth of England, &c. Art. 3. 12. 21. 22, 24, 27, 28, 29, 30, 31, 32, 38, 39, 41.

And because I finde the generality of the *Nobility, Gentry, Clergy, Commonalty* of our Nation, after all their late years *expensive bloody wars*, and *Parliamentary Disputes*, for the defence and preservation of these our ancient Hereditary Fundamentall Charters, Laws, Liberties, Priviledges, so strangely degenerated both from themselves, and their Heroick prudent Ancestors, as that they are more readily inclined, upon every occasion, out of a base, unchristian, unmanly, un-english fear, or sottish cowardise and stupidity, wittingly to desert, betray, surrender them al up into the hands of any invading *Usurpers*, without the least Publike Claim, Dissertation, Defence, Dispute; then diligently or courageously to cōtend or suffer for them, of late they did: So as that which *Paul* once taxed in the slavish besotted *Corinthians*, 2 Epist. 11. 20. may be most truly averred of our degenerated, insatuated English Nation: *Ye suffer if a man bring you into bondage, if a man devour you, if a man take of you, if a man exalt himself (above your Laws, Liberties, Franchises, Parliaments, Kings, Nobles, Properties, Lives, Consciences, 2nd all* that is called God, or worshipped) if a man smite you on the face; notwithstanding all their manifold late* Protestations, Vows, Covenants, Remonstrances, Declarations and Publike Engagements to the contrary. And withall, after diligent enquiry, discovering scarce one man of Eminency or Power in the Nation, nor so much as one of my degenerated temporizing*

* 2 Thess. 2. 4.

* See Exact Collect. and a General collection of all Ordinances, &c.

Profession

Profession of the *Law*, (even when the * *whole body of our laws*, and all its Professors, are violently assaulted, and devoted unto suddain ruine, by many lawlesse spirits) who hath so much courage, magnanimity, honesty, zeal, or cordial love to his Native Country, remaining in his breast, as manfully to appear in publike, for the strenuous necessary defence of these our Hereditary, fundamentall laws, liberties, rights, franchises, (though their own, and every other English Freemens best inheritance and security) for fear of being persecuted, imprisoned, close imprisoned, exiled, condemned, destroyed, as a Traytor, Rebell, Seditious person, enemy to the Publike, or disturber of the Kingdomes peace, by those who are truly such: I thereupon conceived, I could not undertake or performe a more necessary, seasonable, beneficiall service for my Country and ingrate unworthy Nation (who are now ashamed, afraid, for the most part, to own, visit, or be seen in the company of those Gallant men, much lesse to assist, defend, and stick close unto them in their dangers, according to the sixth Article of their late Solemn League and Covenant, who have suffered, acted, and stood up most for their Common Liberties, Rights, Freedoms, Religion, against all invading Tyrants, to their great discouragement and betraying:) not pitch upon any Subject more proper for me, either as a common Lawyer, or as a constant Advocate and Sufferer for the publike Cause, and Liberties of the Nation, as well under our late extravagant Free State, as former Regal and Episcopall arbitrary Tyranny, than in this juncture of our publike affairs, to present our whole distracted unsetled Kingdome, with *A Legal and Historical Vindication, and Chronological Collection*, in all ages, of these Ancient, Hereditary liberties, Franchises, Rights, and all those National, Parliamentall, legal and Martiall Contests, Laws, Charters, Records, Monuments of former and late times, for their Confirmation and inviolable observation, which our Ancestors and our selves have alwaies hitherto reputed *Fundamental, unalterable and inviolable*, upon any pretext, and have most eagerly contended

* See Culpepers and Lilly's *Marlins and Almanacks*, John Cannes *Voice*. Libb, tried and cast, with many Petitions and Pamphlets against the Law and Lawyers. The Order of Aug. 19. 16. 3. That there should be a Committee selected to consider of a New body of the Law for the government of this Commonwealth.

for, with the Prodigious expence of many millions of treasure, and whole Oceans of gallant *Christian English blood*.

And if upon the serious perusal of them, the universality of our degenerated Nation, after their many solemn *Protestations, Vows, Leagues, Covenants, Remonstrances*, inviolably to defend and maintain them, shall still so undervalue them now at last, (as most actually have done) as 'not to esteem them worth the owning, maintaining, vindicating, or perpetuating any longer; & thereby draw upon their heads, the 'reall guilt of all those bloody 'Wars, Murders, Tumults, Violences, Rapines, Oppressions, Sins, Mischiefs, illegal Taxes, Excises, Exorbitancies, which their many late years pretended necessary defence and preservation have brought upon our three whole Nations; let them henceforth, like so many dastardly conquered bondslaves, * *bored through the ears*, publicly disavow, disclaim, renounce, abjure them, for themselves and their posterities for ever, as meer worthless toys, or pernicious inventions, fit onely to kindle perpetual wars and discords between King and People, head and members, superiours and inferiours; or, as poor slender Cobwebs, (as now they prove) able to hold none within compasse, but the very weakest Flies, broken thorow with ease and impunity, by every greater Fly, or armed Waspe, creeping up into any Power or Supreme Authority, by right or wrong; and swept down to the very ground, by every new Broom in the hand of upstart Innovators.

* Exod. 21. 6.

But if upon saddest deliberation, they shall really estimate them to be such incomparable, rich, precious Jewels, and ancient Inheritances, as are every way worth the infinite Treasures, Wars, Blood, Cares, Consultations, Troubles, heretofore and of late years expended, both to gain, retain, confirm, and perpetuate them, to them and their Posterities for ever, as their principal earthly security, and beatitude; I hope they will all then unanimously conclude with the Poet,

Non minor est virtus quam querere, PARTA TVERI:

And both by their *Votes* and *Actions*, return the self-same
peremp-

peremptory magnanimous answer to any *Cæsar, Conqueror, Potentate, power, or Combination of men, whatsoever, (who shall endeavour by force, fraud, or flattery to compell or perswade them, to sell, resign, betray, or give up these their Ancestrall Priviledges, Inheritances, Birthrights to them)* as *Naboth* once did to King *Abah*, 1 Kings 21.3. *The Lord forbid it us, that we should give (sell or betray) the INHERITANCE OF OUR FATHERS (and our Posterities likewise) unto thee, or you; though they should suffer for this Answer and Refusall, as much as Naboth did from bloody Abah and Jezebel.*

But whatever *low price or estimate this spurious, stupid, sordid, slavish age* may set upon these richest Pearls; yet for my own particular, upon serious consideration of these *Chronological Collections*, and the Solemn Oaths, Protestations, Vows, *League and Covenant*, obliging me to defend them to the uttermost; I value the whole *Nations publike*, and *my own* (with my cordial friends) private interest in them, at so high a rate, that I would rather chearfully part with ten thousand lives, and all the treasures of the Nation, Indies, were I owner of them, then wittingly, negligently, or unworthily sell, betray, or resign them up to any *mortals or powers whatsoever*, upon any pretences or Conditions, after all my former Publications, Contests, Sufferings, Losses, &c. for their just defence.

And to the end al others might now take special notice of the inestimable value our Ancestors in all ages have set upon them, and what successive wars, conflicts, they have chearfully undertaken for their preservation; I have at vacant hours compiled this ensuing *Vindication and Collection of the old Fundamental liberties, franchises, laws of all English freemen*, which I shall bequeath to my most beloved *Native Country*, in general, and every reall *Heroick Patron* of them in particular, as the best Legacy I can leave behinde me, both for their present and future *Enfranchisement, Immunity, security*, from all *Arbitrary Tyranny, Slavery and yokes of Bondage*, under which they have a long time languished, and lamented in the bitterness of their spirits.

The

The Method I resolve herein to pursue, is this:

1. I shall produce some punctuall *Authorities of moment*, to evidence, *That the Kingdome and Freemen of England, have some ancient Hereditary just Rights, Liberties, Priviledges, Franchises, Laws and Customs, properly called FUNDAMENTAL;* and likewise a *Fundamental Government, no wayes to be altered, undermined, subverted directly or indirectly, to the publique prejudice, under pain of highest Treason in those, who shall attempt it, especially by fraud, force, or armed power.*

2. I shall, in brief *Propositions*, present you with the chiefest and most considerable of them, which our Ancestors in former ages, and our latest real Parliaments have resolved to be, and eagerly contended for, as *FUNDAMENTAL*, essentiall to their being and well-being, as a *Free People, Kingdome, Republique*, unwilling to be enslaved under any *Tokes of Tyranny*, any arbitrary Impositions or Powers whatsoever. Then give you a briefe touch of their severall late *unparalleld violations*, both by the *Edicts and Actions of usurping Powers.*

3. I shall in a *Chronological way*, tender you a large *Historical Catalogue of National, Parliamentary, civill and military Contests, Votes, Declarations, Remonstrances, Oathes, Vows, Protestations, Covenants, Engagements, Excommunications, Confirmations, Evidences, Statutes, Charters, Writs, Records, Judgments and Authorities in all ages*, undeniably evidencing, declaring, vindicating, establishing, perpetuating these *Fundamental Hereditary Rights, Liberties, Priviledges, Franchises, Customs, Laws*, and abundantly manifesting the extraordinary care, industry, zeal, courage, wisdom, vigilancy of our Ancestours, to defend, preserve, and perpetuate them to posterity, without the least violation or diminution.

4. I shall vindicate the excellency, indifferency, and legality of trying all *Malefactors whatsoever*, by *Juries of their Peers*, upon *legal Proesse and Indictments*; and manifest the illegallity, injustice, partiality, dangerous consequences of admitting or introducing any other form of *Trials*, by *New, Arbitrary Martiall Commissions, or Courts of High Justice*.

stice, (or rather **injustice*) inconsistent with, and destructive to the *Fundamental Rights, Liberties, Priviledges, Laws, Franchises* of the *English Nation*, and of most dangerous President to Posterity; being set up by the greatest pretenders to publicke Liberty, Law, and the cheifest inveighers against Arbitrary Regal Tyranny and Power, which never publickly established such arbitrary illegal Tryals and new Butcheries of Christian English Freemen, by any law, and may fall to imitate them in future Ages, by their example. Each of these I intend to prosecute in distinct Chapters in their order.

* Summum jus, est summa injuria, Cic. de Officiis p. 611.

CHAP. I.

I. For the first of these: *That the Kingdome and Freemen of England, have some ancient Hereditary Rights, Liberties, Priviledges, Franchises, Laws and Customs, properly called FUNDAMENTAL; and likewise a FUNDAMENTAL GOVERNMENT, no wayes to be altered, undermined, subverted, directly or indirectly, under pain of High Treason in those who shall attempt it; especially by fraud, force, or armed power.*

I Shall confirm the first part of it, by these ensuing punctual Authorities of moment, against those **traiterous* late published Pamphlets, which professedly deny it, and endeavour, a totall abrogation of all former *Laws*, to set up a *New modell and Body of the law*, to rule us for the future, according to their pleasures.

* *Libbourn tried and cast* p. 39, 40, 142, to 148 and elsewhere. John Cannes Voice from the Temple. John Rogers Mene Tekel, Perez. p. 6. Lilly and Culpeper in their Prognostications An. 1653, & 1654. See the *Armes Proposals*.

The first is, the expresse words of the great Charters of the *Liberties of England*, granted by King *John*, Anno 1215. in the 16 year of his Reign; Regranted and confirmed by King *Henry* the third, in the 9 year of his Reign, and sundry times afterwards: and by King *Edward* the first, in the 25 and 28 years of his reign: Wherein these three Kings successively, by their several grand Charters, under their great Seals, did grant, give, and confirm, to all the Nobility,

lity, Clergy, and Freemen of the Realm of England, for themselves and their Heirs for ever, the several customs, liberties therein contained; to have and to hold them, to them and their Heirs, from them and their Heirs for ever. Concluding their Charters thus: *All these Customs and Liberties aforesaid, which we have granted to be holden within this our Realm, as much as appertaineth to Us and our Heirs, we shall observe. And all men of this our Realm, as well Spiritual as Temporal (as much as in them is) shall observe the same against all persons, in likewise: And we have granted unto them, that neither we nor our Heirs, shall procure or do any thing whereby the Liberties in these Charters contained, shall be infringed or broken: We raising and approving these Gifts, and Grants aforesaid, confirm and corroborate all the same, for Us and our Heirs perpetually: and by these presents (as the later Charters run) do renew the same: willing and granting, 'For us and our Heirs, that these Charters and all and singular their Articles, for ever shall be stedfastly, firmly, and inviolably observed.*

Sir Edward Cook (that reverend learned Judge and Professor of our Laws) in his Preface to his *Second Institutes*, and p. 2. and 77. thereof, wherein he Comments on this great Charter, (printed by two Orders of the House of Commons in Parliament, dated 12. May 1641. and 30. June 1642. Resolves in direct terms, *That the great Charter, was for the most part declaratory of the principle grounds of the Fundamental Laws of England: That these words therein, [For us and our Heirs for ever] were added, to avoid all scruples; That this great Parliamentary Charter might live and take effect in all succession of Ages for ever.* A clear resolution, that the principal Liberties, Customs, Laws, contained in these great Charters, and ratified by them, are both **FUNDAMENTAL, PERPETVAL, & UNALTERABLE**; being since confirmed in all points by neer fourty several special Acts of Parliament in succeeding Parliaments: and likewise by the Solemn Oathes of our Kings, Nobles, Judges, great Officers, and of the People too, (all several times sworn to defend and maintain the same) and by

sun-

sundry solemn Excommunications against the infringers or contemners of them in any kinde; as I shall prove more fully in the third Chapter.

The second is, the punctuall resolution of the whole Parliament of 1 Jacobi, even in a Printed Act of Parliament, chap. 2. and of King James himself, in his Speech therein, as is evident by this Prologue to that Act; *Whereas his most excellent Majesty hath been pleased, out of great wisdom and judgment, not only to represent unto us, by his own prudent and Princely Speech, on the first day of this Parliament, how much he desired (in regard of his inward and gracious affection to both the famous and ancient Realms of England and Scotland, now united in Allegiance and Loyall Subjection IN HIS ROYALL PERSON*, TO HIS MAJESTY AND HIS POSTERITY FOR EVER) that by a speedy, mature and sound deliberation; such a future Union might follow, as should make perfect that mutual love, and uniformity of manners and Customs, which Almighty God in his Providence, for the strength and safety of both Realms, hath so farre already begun, in apparent sight of all the world; but also hath vouchsafed to expresse many wayes, how farr it is, and EVER SHALL BE FROM his Royall and sincere care and affection to the subjects of England, TO ALTER OR INNOVATE THE FUNDAMENTALL AND ANCIENT LAWS, PRIVILEDGES, and GOOD CUSTOMES OF THIS KINGDOME; whereby not onely HIS ROYAL AUTHORITY, but THE PEOPLES SECURITY OF LANDS, LIVINGS, and PRIVILEDGES (both in general and particular) ARE PRESERVED AND MAINTAINED; and by the ABOLISHING or ALTERATION of the which, it is impossible, but that present confusion will fall upon the whole State and Frame of this KINGDOME, &c.* In which memorable clause, these four things are observable.

* See 1 Jac. c. 1
3. Jac. c. 1. 4.
7 Jac. c. 6.

1. That the Kingdome and People of ENGLAND have Fundamentall, ancient good Laws, Priviledges, and Customs. 2. That these are no wayes to be ALTERED, or INNOVATED; and that it alwaies hath been,

is, and ever shall be, far from the thoughts and intents of all good Kings, Governours and Parliament, who bear a sincere care and affection to the Subjects of England, to alter or innovate them. 3. That by these ancient good Laws, Priviledges and customs, not only the Kings Regall Authority, but the peoples Security of lands, livings, and priviledges, (both in general and particular) are preserved and maintained. 4. That by the abolishing or altering of them, it is impossible, but that present confusion will fall upon the whol state and frame of this Kingdom: Which I wish all Immo-vators and New Modellers of our Lawes and Government would now at last lay seriously to heart, and the whole Kingdome and English Nation sadly consider, who have found it an experimental truth of late years, and no imaginary feigned speculation.

3. The third is, The Remonstrance of the whole House of Commons in Parliament, delivered in Writing to King James, in the Parliament of 7. Jacobi, Anno 1610. which begins thus:

To the Kings most Excellent Majesty.

Most Gracious Sovereign,

See the 1 and 6
Proposition in
cap. 2.

Whereas we your Majesties most humble Subjects, the Commons assembled in Parliament, having received first by Message, and since by speech from your Majesty, a Command of restraint, from debating in Parliament your Majesties Right of imposing upon your Subjects Goods exported out of, or imported into this Realm, yet allowing us to examine the grievance of these Impositions, in regard of quantity, time, and other circumstances of disproportion thereto incident: We your humble Subjects nothing doubting, but that your Majesty had no intent by that command, to infringe the ancient and fundamentall Rights of the Liberty of PARLIAMENT; in point of exact discussing of all matters concerning them and their Possessions, Goods, and Rights whatsoever: Which yet we cannot but conceive to be done in effect by this Command; Do with all humble Duty make this Remonstrance to your Majesty.

First,

'First, we hold it an Ancient, general and undoubted Right of Parliament, to debate freely all matters, which do properly concern the Subject and his Right or Estate: which freedom of debate being once fore-closed, the essence of the Liberty of Parliament is withall dissolved, &c.

Here the whole House of Commons, in a speciall Remonstrance to King James, (printed and published by Order of a Committee of the House of Commons for licensing of Books, dated 20 Maii 17. Caroli 1641.) Declare, resolve, vindicate and maintain, one principal, ancient, fundamentall, general, undoubted right of the Liberty of Parliament, against the Kings intrenchment on it: Of which should they be but once fore closed, the Essence of the Liberty of Parliament is withall dissolved.

And peradventure it may not be unworthy the most serious disquisition of the next ensuing nominal or real Parliament, to examine, whether some clauses and restrictions in the 9. 12. 14. 16, 17. 21. 22. 24, 25. 27. 30. 32, 33. 36, 37, 38, 39, 40. Articles (or strings) of the New Instrument intituled, *The Government of the Common-wealth of England, Scotland, and Ireland, and the Dominions thereunto belonging*; as it was publicly declared at Westminster the 16. day of December 1653, &c. do not as much, nay far more intrench upon the ancient Fundamental, General undoubted Rights and Liberty of Parliament, and parliamentary free debates, to the dissolution of the Essential liberty of all future Parliaments, as this Command of King James did, or as the Bishops late Canons, imposed on the Clergy in and by the Convocation, Anno 1640. ever did; and this clause in their, &c. Oath then made, (now * imitated by others, who condemned it) *I. A. B. do swear, that I will never give my consent to alter the Government of this Church, by Arch-bishops, Bishops, Deans and Arch-Deacons, &c. as it stands now established, and as by right it ought to stand.* Which clause and Oath imposed one-ly on the Clergy-men.

Resolved by the whole House of Commons and Peers too, in Parliament, without one dissenting voice, December 16. 1640. to be a most dangerous & illegal Oath, contrary

* See the Government of the Common-wealth of England, &c. Article 12. the writs and printed returns for new Elections; and enforced new Test and Engagement imposed on the three Kingdoms and new Members, excluding most of them.

to the Rights and Priviledges of Parliament, and to the Fundamental Laws and Statutes of the Realm, &c. and of dangerous consequence: the contriving whereof was objected to the late Archbishop of Caterbury, in his original Articles of High Treason, for which amongst other things he lost his head.

The fourth is the notable Petition of Grievances of the whole House of Commons in Parliament, presented to King James in the seventh year of his Reign, after their Vote against his Right, to levy Impositions on goods imported, or exported, without assent and grant of Parliament, in these ensuing words.

See Proposition
1. in ch. 2.

Nota.

* O how are
they now dege-
nerated!

* And should
they not be so
now then?

* And should
we now at last
fall herein?

* How dare
then any self
created powers
who are nei-
ther Kings nor
Parliaments
now arrogate
to themselves,
or exercise such
a super-Regal
arbitrary
power and
Prerogative,
against all our
Laws and
their own in-
strument and
oaths.

The Policy of this your Majesties Kingdomes, appropriates un-
to the Kings of this Realm, with assent of Parliament, as well
the Sovereign power of making Laws, as that of taxing or im-
posing upon the Subjects Goods or Merchandises, wherein they
have justly such a property, as may not without their consent be
altered or changed: this is the cause, that the people of this
Kingdome, as they have * ever shewed themselves faithfull and
loving to their Kings, and ready to aid them in all just occasions,
with voluntary contributions: so have they been * ever care-
ful to preserve their own Liberties and Rights, when
any thing hath been done to prejudice or impeach the
same. And therefore when their Princes, either occasioned by
war, or by their own bounty, or by any other necessity, have
without consent of Parliament set on Impositions, either within
the Land, or upon commodities exported or imported by the mer-
chants, they have in open Parliament complained of it, in that
it was done without their consents, and thereupon * never
failed to obtain a speedy and full redresse, without any
claim made by the Kings, of any Power or Prerogative in that
point. And though the Law of property be original, and
carefully preserved by the Common Laws of this Real, WHICH
ARE AS ANCIENT AS THE KINGDOME IT
SELF, yet those famous Kings, for the better contentment and
assurance of their loving Subjects, agreed, THAT THIS
OLD FUNDAMENTAL RIGHT (observe the words)
should be further declared, and established by Acts of Parlia-
ment, wherein it is provided, That no such Charge shall ever be
laid

laid upon the People, without their common Consents, as may appear, by sundry Records of former times.

We therefore your Majesties most humble Commons assembled in Parliament * following the example of this worthy care of our Ancestors, and out of our Duty to those for whom we serve, finding that your Majesty, without advice of your Lords and Commons, hath lately (in times of Peace) Set both greater Impositions, and farre more in number, than any your Noble Ancestors did ever in time of Warre, do with all humility present this most just and necessary Petition unto your Majesty, **THAT ALL IMPOSITIONS SET WITHOUT ASSENT IN PARLIAMENT, MAY BE QUITE ABOLISHED AND TAKEN AWAY.** And that your Majesty likewise, in imitation of your Royal Progenitors, will be pleased, that a Law in your time, and during this Session of Parliament, may be also made, to declare, That all Imposition of any kinde, set, or to be set upon your people, their Goods or Merchandises, save onely by common Content in Parliament, are and shall be Void; wherein your Majesty shall not onely Give your Subjects great Satisfaction in point of their Right; but also bring exceeding joy and comfort to them, who now suffer partly through the abating of the price of Native Commodities, and partly through the raising of all Forraign, to the overthrow of Merchants, and shipping, the causing of general dearth, and decay of all wealth among your people; who will be thereby no lesse discouraged, than disabled to supply your Majesty when occasion shall require. In which memorable Petition, the whole House of Commons resolve in direct terms: 1. That the Subjects of England have old original Fundamental Rights (and more particularly) in the Property of their Goods, exempted from all Impositions whatsoever, in times of peace or war, without their common consent in Parliament; declared and established both by the ancient and common law of England and sundry Acts of Parliament, and records of former times. 2. They declare, the constant vigilant care, zeal of our ancestors and former Parliaments in all ages, inviolably to maintain, defend, preserve the same, against all encroachments, together

Nota.

* And ob that we would follow it now again, both in and out of Parliament?

Nota.

* See the *White-hall Ordinances* for the *six months Contribution, Excise, till 1656. tunnage & Pannage till 1658. beyond all Presidents in any age, and the very words and letter of the 30 Article of their government.*

with their own care, duty and vigilancy in this kind in that very Parliament. 3. They relate the readinesse of our Kings to ratifie these their *Fundamental Rights* by new *Acts of Parliament*, when they have been violated in any kinde. 4. They declare the benefit accruing both to Prince and People, by the inviolable preservation and establishment of this *old Fundamental right*, and the mischiefs accruing to both by the infringment thereof, by arbitrary illegall impositions, without full consent in Parliament. 5. They earnestly (in point of Conscience, prudence, and duty to those for whom they served) Petition his Majesty, for a *new Law and Declaration*, against all new Impositions and Taxes on inland Goods, or Merchandises imported or exported, without the peoples free consent in Parliament, as null, void, utterly to be abolished and taken away: Whether it will not be absolutely necessary for the whole *English Nation*, and the next ensuing National, or reall Parliament, to prosecute, enact, establish such a Declaration and Law against all such former and future arbitrary, illegal, oppressive Taxes, Impositions, Excises, that have been imposed and continued for many years together on the whole kingdom, by * new extravagant, self-created, usurping ARMY-OFFICERS, and other Powers, without free and full consent of the people in Lawfull English Parliaments, against all former Laws, Declarations and Resolutions in Parliaments, to their great oppression, enslaving, undoing, in far greater proportions, multiplicity, and variety, than ever in former Ages, without the least intermission; and likewise against their late declared designe, to perpetuate them on our exhausted Nation, without alteration or diminution, (beyond and against all presidents of former Ages) both in times of Peace and War, for the future, by the 27, 28, 29, 30, 39. Articles of the Instrument entituled, *The Government of the Common-wealth of England, &c.* I remit to their most serious considerations to determine, if ever they resolve to be *English Free-men* again, or to imitate the wisdom, prudence, zeal, courage,

courage and laudable examples of their worthy Ancestors, from which they cannot now degenerate without the greatest Infamy, and enslaving of themselves with their Posterities for ever, to the arbitrary wills of present or future Usurpers on their Fundamental Rights and Liberties, in an higher degree then ever in any precedent Ages, under the greatest Conquerours or Kings, after all their late, costly, bloody Wars, for their Defence against the beheaded King.

5 The fifth is, *A learned and necessary Argument made in the Commons House of Parliament, Anno 7. Jacobi, to prove, That each Subject hath a Property in his Goods; shewing also, the extent of the Kings Prerogative in Impositions upon the Goods of Merchants, exported or imported, &c. by a late learned Judge of this Kingdome, printed at London by Richard Bishop, 1641. and Ordered to be Published in Print, at a Committee appointed by the Honorable House of Commons, for examination and Licensing of Books, 20. Maii 1641. In which Parliamentary Argument, p. 8. 11. 16. I finde these direct Passages: That the New Impositions contained in the Book of Rates, imposed on Merchandizes, imported and exported by the Kings Prerogative, and Letters Patents, without consent in Parliament, is against the natural Frame and Constitution of the Policy of this Kingdome, which is, JUS PUBLICUM REGNI, AND SO SUBVERTETH THE FUNDAMENTAL* Nota.

LAW OF THE REALM, and introduceth a new Form of State and Government: Can any man give me a reason, why the King can only in Parliament make Laws? No man ever read any Law, whereby it was so ordained; and yet no man ever read, that * any King practised the contrary; therefore IT IS THE ORIGINAL RIGHT OF THE KINGDOME, AND THE VERY NATURAL CONSTITUTION OF OUR STATE AND POLICY, being one of the highest Rights of Sovereign Power. If the King alone out of Parliament may impose, * HE ALTERETH THE LAW

Laws and Ordinances, amounting to near 700. pages in folio in a few months space. * And do not those do so, who now lay Monethly Taxes, Excises, Customs and New Imposts on us daily, out of Parliament, and that for many months and years yet to come, against the Letter of their own Instrument and Oath too?

OF ENGLAND IN ONE OF THESE TWO MAIN FUNDAMENTAL POINTS; he must either take the Subjects Goods from them, without assent of the Party, which is against the law, or else he must give his own Letters Patents the force of a law, to alter the property of the Subjects goods, which is also against the Law.

In this and sundry other Arguments (touching the Right of Impositions) in the Commons House of Parliament by the Members of it, arguing against them, it was frequently averred, and at last Voted and Resolved by the House, 7. Jacobi. That such Impositions without consent in Parliament, were *AGAINST THE ORIGINAL FUNDAMENTAL LAWS AND PROPERTY OF THE SUBJECT, and Original Right, Frame and Constitution of the Kingdome; as the Notes and Journals of that Parliament evidence: An expresse parliamentary Resolution in point, for what I here assert.

* And are they
not so now?

6. The sixth is, A Conference desired by the Lords, and had by a Committee of both Houses, concerning the Rights and Privileges of the Subject. 3. Aprilis 4. Caroli 1628. entered in the Parliament Journal of 4. Caroli, and since printed at London 1642. In the Introduction to which Conference, Sir Dudley Diggs by the Commons House Order, used these expressions: My good Lords, whilst we the Commons, out of our good affections, were seeking for money, we found, I cannot say a Book of the Law, but many A FUNDAMENTAL POINT THEREOF NEGLECTED AND BROKEN, which hath occasioned our desire of this Conference: wherein I am first commanded to shew unto your Lordships in general; That the Laws of England are grounded on Reason more ancient than Books, consisting much in unwritten Customs; yet so full of Justice and true Equity, that your most honorable Predecessors and Ancestors propugned them with, a *NOLUMUS MUTARI; and so ancient, that from the Saxons dayes, notwithstanding the injuries and ruines of time, they have continued in most parts the same, &c. Be pleased then to know, THAT IT IS AN UNDOUBTED, AND FUNDAMENTALL POINT OF THIS SO ANCIENT COMMON LAW OF

* 20. H. 3. c. 9.
See Cooks 2. 1.
lit. p. 97, 98.

OF ENGLAND, THAT THE SUBJECT HATH A *Proposition 1, 4*
 TRUE PROPERTY IN HIS GOODS AND POSSESSIONS, which doth preserve as sacred, *that MEUM and TVUM, that is the Nurse of Industry, and the Mother of Courage, and without which, there can be no Justice, of which MEUM and TVUM is the proper object: But the UNDOUBTED BIRTH-RIGHT OF FREE SUBJECTS, hath lately not a little been invaded and prejudiced by pressures, the more grievous, because they have been pursued by IMPRISONMENT, contrary to the Franchises of this Land, &c.* *Proposition 2:*
 Which the Commons House proved by many Statutes and Records in all ages, in that Conference, to the full satisfaction of the Lords House; since published in print.

7. The Seventh is, The Vote the * whole House of * *See Canterbury Commons, 16. December 1640. Nullo contradicente, entered in their Journall, and printed in Diurnall Occurrences, page 13. That the Canons made in the Convocation (Anno 1640.) ARE AGAINST THE FUNDAMENTAL LAWS OF THE REALM, the Property and Liberty of the Subject, the Right of Parliament, and containe diverse things tending to Faction and Sedition. Seconded in their Remonstrances of 15. December 1641.* *19. Exact Coll. p. 12.*

8. The eight Authority is, * The Votes of both Houses of Parliament, concerning the security of the Kingdome of ENGLAND and Dominion of Wales, 15. Martii 1641. Ordered by the Lords and Commons in Parliament to be forthwith printed and published (as they were then by themselves, and afterwards with other Votes and Orders) Resolved upon the Question, nemine contradicente; That in case of extream danger, and his Majesties refusall, the Ordinance agreed on by both Houses for the MILITIA (to secure the Houses, Members and Priviledges of Parliament and Kingdome against ARMED-VIOLENCE, since brought upon them by the MILITIA of the Army) doth oblige

the people, and ought to be obeyed, by the **FUNDAMENTAL LAWS OF THIS KINGDOME**. A very vain and delusory Vote, if there be no such Law, as some now assttm.

* *Exact Coll.*
p 850, 584,
887, 888.

9. The ninth punctuall Authority is, * a *Second Declaration of the Lords and Commons assembled in Parliament, concerning the Commission of Array*; Printed by their speciall Order of 12. January 1642. Wherein are these observable passages, *The main drift of all the answer is to maintain, That the King by the Common Law may grant such a Commission of Array, as this is, upon this ground, because its for the Defence of the Kingdome: And, that the power, which he hath to grant it by the Common law, is not taken away by the Petition of Right, or any former Statute; but the King notwithstanding any of them, may charge the Subject for Defence of the Kingdome, so as the charge imposed come not to himself, nor to his particular advantage.*

See Chap. 2.
Proposit. 1, 2, 3.

*These grounds thus laid, extend not to the Commission of Array alone, but to all other charges that his Majesty shall impose upon his Subjects, upon pretence of Defence of the Kingdome; for there is the same reason of Law for any other charge that is pretended for Defence, as for this. If his Majesty by the Common Law may charge his Subjects to finde Arms, and other things in the Commission enjoyned, because they are for Defence of the Kingdom; by the same reason of Law, he may command his People to build Castles, Forts and Bulwarks, and after to maintain them with Garrisons, Arms, and Victuals, at their own charges: And by the same reason he may compel his Subjects to finde Ships, and furnish them with Men, Ammunition and Victuals, and to finde Souldiers pay, * Coat and Conduct money; provide victuals for Souldiers, and all other things NECESSARY FOR AN ARMY; these things being as necessary for Defence, as any thing that can be done in execution of this Commission. And for that exposition of the Petition of Right and other Statutes therein noted (if it should hold) doth it not overthrow, as well the Petition it self; as all other Laws that have been made for the Subjects benefit against Taxes and other charges, either in this or any other Parliaments?*

* Do not the
Army Officers
now enforce
them to all this
without a Par-
liament, to sup-
port their usur-
ped new Pow-
ers and Posses-
sions, and esta-
blish them-
selves in a most
absolute Sove-
raignty over
our three king-
doms?

These

These Positions thus laid down and maintained, Do shake Nota.
the Fundamental Laws of the Kingdome (the ancient
Birth-right of every Subject) both for the Property of
his Goods, and Liberty of his Person: Nay, they strike at
the root of Parliaments: What need his* Majesty call Parlia-
ments, to provide for Defence of the Realm, when himself may
compell his Subjects to defend it without Parliaments? If these
grounds should hold, what need the Subjects grant subsidies in
Parliament for Defence of the Kingdome in time of reall danger,
if the King for Defence at any times, when he shall onely conceive
or pretend danger, may impose Charges upon his Subjects with-
out their Consent in Parliament?

** These expositu-
lutions reach to
them at white-
hall now, who
presume to im-
pose Taxes, Cu-
stoms, Excises
and make bind-
ing laws and
Instruments
for our whole
3 kingdomes,
Nations, Par-
liaments,
which no King
there ever did
in like nature,
nor their Coun-
sels in any age.*

Upon that which hath been said in this and our for-
mer Declaration, we doubt not but all indifferent men
will be satisfied, that this Commission of Array, is full
of danger, and inconvenience to the Subjects of England,
AND AGAINST THE FUNDAMENTALL LAWS
OF THE LAND, both for PROPERTY OF GOODS,
AND LIBERTY OF PERSON, &c. As it is against
THE FUNDAMENTAL LAWS OF THE REALM,
so no statute makes it good, &c. And the Lords and Com-
mons do upon the whole matter here conclude, That
they are very much aggrieved, that after so many Decla-
rations and solemn Protestations made by his Majesty to
rule by the known Laws of this Land, his Majesty by advice
of his ill Councillors should be perswaded to set such a Commis-
sion on foot, which is so clearly contrary TO THE
FUNDAMENTAL LAWS OF THIS LAND, the
Rights of Property, and Liberty of the Subject, contrary
to former resolutions of Parliament, and to the Petition
of Right.

I am certain, the generality of the Nation are now as
much and more aggrieved, that some, who were Parties to
this Declaration, and others, who have made as many or
more Declarations & Protestations as his Majesty ever did, to
rule by the known laws of the Land; should since this, far ex-
ceed his Majesty in the like, nay greater, more exorbitan-
ces in the Militia, Excises, Taxes, Impositions, Imprison-

ments, arbitrary extravagant proceedings; capital executions in new erected Courts of Injustice; and whole volumes of new binding Ordinances, as they term them, and their ill-sounding Instrument, obliging all our three Nations, both for the present & all future ages, in ** their intention*; as diametrically contrary as the Kings Commissions of Array, to the Fundamentall Laws of the Land (four times together soyled and insisted on, as such, in this one Declaration of both Houses.) the Right of Property of the Subject, contrary to former Resolutions, and the Petition of Right; yea (which is most abominable) to their own Declarations, Remonstrances, Votes, Protestations, Vows, Solemne Leagues and Covenants in Parliament, to their own eternall Infamy, as well as the peoples intolerable oppression and slavery; who thereupon may justly conclude and protest against them, as both Houses did in the close of this Declaration against the Array, viz. ** And the Lords and Commons do and shall adhere to their former Votes & Resolutions. That all those that are Actors in putting of this Commission of Array (these Instruments, Ordinances new Taxes, Imposts, Excises) in execution shall be esteemed disturbers of the Peace of the Kingdome, and of the Propriety and Liberties of the Subject.*

** See the true state of the case of the Commonwealth of England, &c. p. 33.*

34.

** Exact Collection p. 888.*

** A Collection of all publike Orders, Ordinances, and Declarations of Parliament, p. 451, 452, 457, 458.*

** How have others of late (which they stile Parliaments) been convened?*

io. The tenth Evidence is, ** the Vote and Letter of both Houses of Parliament sent to his Majesty at Oxford, 9. March 1643. in Answer to his Majesties, of the third of March: and wherein there is this passage: We the Lords and Commons assembled in the Parliament of England, &c. Have resolved, with the concurrent advice and consent of the Commissioners of Scotland; to represent to your Majesty in all humility and plainnesse as followeth; That this present Parliament convened, according to the known and ** FUNDAMENTAL LAWS OF THE KINGDOME* (the continuance whereof is established by a law consented to by your Majesty) is in effect denied to be a Parliament, &c. And hereupon*

we

we think our selves bound to let your Majesty know; That since the *continuance of this Parliament is settled by a Law, (which as all other laws of your Kingdome, your Majesty is sworn to maintain, as we are sworn to our Allegiance to your Majesty; those Obligations being reciprocally) we must in duty, and accordingly are resolved, with our Lives and Fortunes, to Defend and preserve the just Rights and full Power of this Parliament: To which the Earle of Essex (then General) by both Houses order, in his Letter to the Earle of Forth January 30. 1643. adds this Corolary. My Lord, the maintenance of the Parliament of England, and the Priviledges thereof, is that for which we are resolved to spend our blood, as being **THE FOUNDATION WHEREON ALL OUR LAWS AND LIBERTIES ARE BUILT**: Which both the Lords and Commons assembled in Parliament, in their Declaration 23. March 1643. touching their proceedings upon his Majesties Letter, concerning a Treaty of Peace; (wherein this Earls former letter is recited) thus second: *The Parliament of England is the only Basis, the chief support and Pillar of our Laws and Liberties, &c.* And if notwithstanding all these Obligations, the King shall at his pleasure dissolve this Parliament, the Kingdome is not onely deprived of the present, but made incapable of enjoying the benefit of any future Parliament, or Laws, any longer than shall stand with the will and pleasure of the King: and consequently **THE FUNDAMENTALS OF ALL OUR LAWS AND GOVERNMENT ARE SUBVERTED**. Let the Parliament purging, securing, sequestering, dissolving Officers Army, and their Confederates, seriously ponder this, yea let all the whole English Nation and their Trustees who shall hereafter sit in Parliament, consider and reform it in the first place, if ever they expect any Freedome, free Parliaments, Peace, settlement, enjoyment of their Fundamental Laws, Rights, or Liberties for the future, depending on our Parliaments Freedome, and exemption from all force and violence on its Members.

* Yet forcibly dissolved by the Army, and some now in Power, against their Commissions, Oaths, Trusts, Protections Covenant, and an Act of Parliament for their continuance; who may do well to peruse this clause. See c. 2. Proposition 6, 7.

* A Collection
of c. p. 504.

The eleventh is, the * *Ordinance of both Houses of Parliament*, 13. Junii 1644. For the Forces raised in the County of *Salop*, which begins thus : 'The Lords and Commons assembled in Parliament, taking into their serious considerations, the great Oppressions under which the Inhabitants of the County of *Salop* lie, by reason the insupportable Taxes, &c. and the present condition of the County, by reason of the great number of Irish Rebels that have invaded it, and joyned with Papists and other ill affected Persons, now in those parts, which threaten the extirpation of the Protestant Religion, and the subversion of the FUNDAMENTAL LAWS and GOVERNMENT OF THE KINGDOM. For prevention whereof, &c. A direct Ordinance in point.

* A Collection
of c. p. 877,
878, 879.

The twelfth is, * a Declaration of the Commons of England, assembled in Parliament, 17. Aprilis 1646. 'Of their true intentions concerning the ANCIENT and FUNDAMENTAL GOVERNMENT OF THE KINGDOM, securing the people against ALL ARBITRARY GOVERNMENT, &c. wherein they complain, 'That the Enemy being in despair to accomplish his Designs by War, do misrepresent our intentions in the use we intend to make of the great successes God hath given us, and the happy opportunity to settle Peace and Truth in the three Kingdomes; to beget a belief that we now desire to exc. ed, or swerve from our first Aym's and Principles in the undertaking of this War, and to recede from the Solemn League and Covenant, and Treaties between the two Kingdomes; and that we would prolong these uncomfortable troubles, and bleeding distractions, IN*ORDER TO ALTER THE FUNDAMENTAL CONSTITUTION AND FRAME OF THIS KINGDOME, to leave all Government in the Church loose and unsettled, and our selves to exercise THE SAME ARBITRARY POWER OVER THE PERSONS and ESTATES OF THE SUBJECTS, which this present Parliament hath thought fit to abolish, by taking away the Star-Chamber, High-Com-

* And is not all this now proved a real experimental truth, in some of these Remonstrants, to their shame?

Commission, and other arbitrary Courts, and the exorbitant Power of the Council Table, (all which we have seen experimentally verified in every particular, in the highest degree, notwithstanding this Declaration, by some in late and present power, and new White-hall Council Tables, exceeding the old in illegal Taxes, Law-making, and other extravagances:) All which being seriously considered by us, &c.

We do declare, THAT OUR TRUE and REAL INTENTIONS ARE, and OUR ENDEAVOUR SHALL

BE, to settle Religion in the purity thereof, * TO MAINTAIN THE ANCIENT and FUNDAMENTAL GOVERNMENT OF THIS KINGDOME, TO PRESERVE THE RIGHTS and LIBERTIES OF THE SUBJECT; to lay hold on the first opportunity of

procuring a safe and well grounded peace in the three Kingdoms, and to keep a good understanding between the two Kingdoms of England and Scotland, according to the grounds expressed in the Solemn League and Covenant; And lest these generals should not give a sufficient satisfaction, we have thought fit, to the end men might no longer be abused in a misbelief of our intentions, or a misunderstanding of our actions, to make a further enlargement upon the particulars.

And first, Concerning Church-Government, &c. because we cannot consent to the granting of an Arbitrary and unlicensed Power and Jurisdiction, to neer ten thousand Judicatories to be erected within this Kingdome, and this demanded in such a way, as is not consistent with the FUNDAMENTAL LAWS and GOVERNMENT OF THE SAME, &c. Our full resolutions still are, sincerely, really and constantly to endeavour the Reformation of Religion in the Kingdome of England and Ireland, in Doctrine, Worship, and Government, according to the word of God, and the example of the best Reformed Churches, and according to the Covenant. WE ARE * SO FARRE FROM ALTERING THE FUNDAMENTAL GOVERNMENT OF THIS KINGDOME BY KING, LORDS and COMMONS, that we have onely desired, that with the consent of the King, such Power may be settled in the TWO HOUSES, without which we can have no assurance,

* And can most of these Remonstrants in late or present Power, now say this in truth or really? and must not they be utterly ashamed, before God and man, when they consider how they have dissimbled, perverted with God and men herein, in each particular?

* And can the new Modellers of our Government over and over, who were parties to this Declaration, &c. then Members of the Commons House, say so now? or read this without blushing and self-abbhorrence?

* Is not a Superintendant power in the Army over, above & against the Parliament or People, far more dangerous & likely to introduce such an arbitrary Government in the Nation, if left in the General, Officers or their Councils power? * Did not the imposing a strange New Engagement, and sundry arbitrary Committees of Indemnity, &c. interrupt it in the highest degree; and the misnamed high Courts of Justice, falsifie this whole clause?

but that the like, or greater mischiefs than those which God hath hitherto delivered us from, may break out again, and engage us in a second and more destructive war; whereby it plainly appears, Our intentions are not to change the Antient Frame of Government within this Kingdome, but to obtain the end of the Primitive Institution of all Government, The safety and weal of the People; not judging it wise or safe, after so bitter experience of the bloody consequences of a * pretended Power of the Militia in the King, to leave any colourable authority in the same, for the future attempts of introducing AN ARBITRARY GOVERNMENT OVER THIS NATION. 'We do declare, That we will not, nor any by colour of any Authority derived from us, shall interrupt the * ordinary course of Justice, in the severall Courts of Judicatories of this Kingdome, nor intermeddle in the cases of private interest other where determinable, unlesse it be in case of male-Administration of Justice; wherein we shall see and provide, that Right be done, and punishment inflicted, as there shall be occasion, ACCORDING TO THE LAWS OF THE KINGDOME.

Lastly, Whereas both Nations have entred into a Solemn League and Covenant; we have, and EVER SHALL BE VERY CAREFULL DULY TO OBSERVE THE SAME: that as nothing hath been done, SO NOTHING SHALL BE DONE BY US REPUGNANT TO THE TRUE MEANING AND INTENTION THEREOF, &c. WHO WILL NOT DEPART FROM THOSE GROUNDS AND PRINCIPLES, upon which it was framed and founded.

Though the generality of the (afterwards,) secured and secluded Majority of the House of Commons, endeavoured constantly to make good this Declaration in all particulars; yet how desperately the garbled Minority thereof, continuing in power after their Seclusion, prevaricated, apostatized, and falsified their Faith herein in every particle, in the highest degree, we cannot but with greatest grief of heart, and detestation remember, to the subversio-

on, ruine of our King, Lords, Commons, Kingdome, Parliaments, Fundamentall Laws, Government, and the peoples Liberties, &c. almost beyond all hopes of restitution or reparation in humane probability, without a miracle from heaven. The Lord give them grace most seriously to consider repent of, and really, sincerely reform it now at last, and to make it the principle subject of their prescribed *publike Humiliations, Fasts and Lamentations*, as God himself prescribes; *Isa. 58. 5, 6, 7, 8. Jer. 34. 8. to 22. Ezech. 19. 1. 14. Hos. 10. 3, 4.* and not still to adde drunkenness to thirst, lest they bring them to temporall and eternal condemnation for it in Gods own due time, and engender endlesse Wars, Troubles, Taxes, Changes, Confusions in our Kingdomes, as they have hitherto done and will do till all be restored to their just Rights, Powers, Places, Possessions and Liberties.

By this full Jury of *Parliamentary Authorities*, to omit many others, of **like, or *inferiour* nature, and lesse moment, it is undeniable: That the people of England, have both ancient Fundamentall Rights, Liberties, Franchises, Laws, and a Fundamental Government, which like the Laws of the Modes and Persians, neither may nor ought to be altered, or innovated upon any pretence, but perpetually maintained, defended, with greatest care, vigilancy, resolution; and he who shall deny or oppugn it, deserves no refutation by further arguments, since it is a received Maxime in all Arts, *Contra Principia negantem non est disputandum*; but rather demerits a sentence of Condemnation and publike execution at Tyburn, as a Common Enemy, Traitor to our Laws, Liberties, Nation; it being no lesse than a transcendent crime, and High Treason by our Laws, for any person or persons, secretly or openly, to attempt the undermining or subversion of our fundamental laws, rights, Liberties, Government, especially by fraud, treachery, force or armed power and violence (the later part of my first proposal) which I shall now confirm by these twelve following Presidents and Evidences, corroborating likewise the former part, That we have such Fundamental laws, liberties, rights, franchises, and a fundamental Government too.

**Exact Collect.*

P. 4. 12. 34. 61. 243. 260. 321. 500. 502.

** See the humble Remon-*

strance against the illegall Tax of Ship-money briefly discussed. p. 2. &c.

Englands Birth right & their Treatises. The

Declaration of

Sir Thomas Fairfax, and

the Army under his Command,

tendered to the Parliament,

June 14 1647.

concerning the

Just and Fundamental

Rights and Liberties of the Kingdome.

*Walsingham,
Stow, Holinshed
Speed, Grafton,
Trussil,
Baker in 5 R. 2.
John Stows
Survey of London
p. 89. 1010;
Mr. St. Johns
Argument at
Law, at Straff-
fords Attainder
p. 14.

In the* fifth year of King Richard the second, the vulgar rabble of people and villains, in Kent, Essex, Suffex, Norfolk, Cambridge-shire and other Counties, under the Conduct of Wat Tyler, Jack Straw and other Rebels, assembling together in great multitudes (occasioned at first by the new invented Tax of Poll-money, granted by Parliament, and the over-rigorous levying thereof, on the people, by the Kings Officers (though nothing so grievous as our Excises, Contributions, & new Imposts now, so long exacted without any legal Grant in true, free and full English Parliaments) resolved by force and violence, to abrogate the law of Villenage, with all other laws they disliked, formerly settled; to burn all the Records, kill and behead all the Judges, Justices, and men of law of all sorts, which they could get into their hands; to burn and destroy the Inns of Court, (as they did then the new Temple, where the Apprentices of the law lodged, burning their Monuments and Records of Law there found) to alter the tenures of lands, to devise new laws of their own, by which the Subjects should be governed: to change the ancient Hereditary Monarchicall Government of the Realm, and to erect petty elective Tyrannies and Kingdomes to themselves in every shire: (A project eagerly prosecuted by some Anarchicall Anabaptists, Jesuits, Levellers, very lately) and though withall they intended to destroy the King at last, and all the Nobles too, when they had gotten sufficient power; yet at first to cloak their intentions from the people, they took an Oath of all they met; *Quod Regi & Communibus fidelitatem servarent*; that they should keep Allegiance and Faith to the King & Commons: Yea, Wat Tyler demanded a Commission from the King, to behead all Lawyers, Escheaters, and others whatsoever that were learned in the laws, or communicated with the law by reason of their Office, conceiving in his minde, that this being brought to passe, all things afterwards would be ordered according to his own and the common peoples fancy. And he made his vaunt, putting his hand to his own lips; That before scure dayes came to an end, **ALL THE LAWS OF ENGLAND SHOULD PROCEED FROM HIS MOUTH.** (Which some of late times seem

seem to speak not only in words, but deeds, by their manifold new laws and Edicts, repealing or contradicting our old). This their resolution and attempt thus to alter and subvert the Laws and Government, upon full debate in the Parliament of 5. R. 2. n. 30. 31. was declared to be High-Treason against the King and the Law, for which divers of the chief Actors in this Treasonable Design, were condemned and executed, as Traitors, in severall places; and the rest enforced to a publike submission, & then pardoned. Let these imitators now remember this old President.

2. In the * Parliament of 11. R. 2. (as appears by the Parliament Rols and printed Statutes at large) three Privy Councillours, the Archbishop of York, the Duke of Ireland, and the Earl of Suffolk, the Bishop of Exeter, the Kings Confessor, five Knights, six Judges (whereof Sir Robert Tresilian Chief Justice was one) Blake, of the Kings Council at Law, Usk, and others, were impeached and condemned of High Treason, some of them executed as Traitors, the rest banished, their lands and goods forfeited, and none to endeavour to procure their pardon, under pain of Felony; for their endeavouring to overthrow a Commission for the good of the Kingdome, contrary to an Act of Parliament, by force of Arms, and opinions in Law delivered by these temporizing Judges and Lawyers, to the King, (through threats and terrour at Nottingham Castle) tending to subvert the Laws and Statutes of the Realm, overthrow the Power, Priviledges and proceedings of Parliament, and betray (not *all the House of Lords, but only) some of the Lords of Parliament. Which Judgement being afterwards reversed in the forced and packed Parliament of 21. R. 2. was reconfirmed in the Parliament of 1 H. 4. c. 3, 4, 5. and the Parliament of 21. R. 2. totally repealed, and adnulled for ever, and hath so continued. Read Statut. at large.

* The Statutes at large, Stow, Holinshead, Speed, Graffton, Baker Trussel, in 10 & 21 R. 2. & 1 H. 4. M. St. Johns Speech concerning the Shipmony Judges p. 28. to 37. and argument at Law, at Straffords Attainder

* As some of late years have done.

3. In the * Parliament of 17 R. 2. n. 20. and Pas. 17 R. 2. B. Regis Rot. 16. Sir Thomas Talbot was accused and found guilty of High Treason, for conspiring the death of the Dukes of Gloucester, Lancaster, and other Peers, who maintained the Commission confirmed by Act of Parliament, 10. R. 2.

* M. St. Johns argument at Law, at Straffords Attainder p. 13, 14, 17

and assembling people in a warlike manner in the County of Chester, for effecting of it, in destruction of the estates of the Realm; and the Laws of the Kingdome.

*Hall, Fabian
Holtshed,
Speed, Grafton,
Stow, Martin,
Baker.

4. In the * 29. year of King Henry the sixth, Jack Cade, under a pretence to REFORM, alter and abrogate some laws, Purveyances and Extortions importable to the Commons where- upon he was called JOHN AMEND ALL) drew a great multitude of Kentish people to Black-beath, in a warlike manner, to effect it : In the Parliament of 29 H. 6. c. 1 this was adjudged High Treason in him and his Complices, by Act of Parliament : and the Parliament of 31. H. 6. c. 1. made this memorable Act against him, and his Imitators in succeeding ages ; worthy serious perusal and consideration by all, who tread in his footsteps, and over- act him in his Treasons.

* And have not
others of late
assumed to
themselves
more Royal po-
wer than he?
resolved to be
Treason by 21.
E. 3. Rot. Parl.
& Cooks 3.
Instituti p 9.

‘Whereas the most abominable Tyrant, horrible, odious, and errant FALSE TRAYTOR, John Cade, calling himself sometimes Mortimer, sometime Captain of Kent, (which Name, Fame, Acts and Feats, be to be removed out of the speech and minde of every faithfull Christian man perpetually) falsly and traiterously purposing and imagining the perpetuall destruction of the KINGS PERSON and FINAL SUBVERSION OF THIS REALM, taking upon him * ROYALL POWER, and gathering to him the Kings People in great number, BY FALSE SUBTIL, IMAGINED LANGUAGE: and seditiously made a stirring Rebellion, and insurrection, UNDER COLOUR OF JUSTICE, FOR REFORMATION OF THE LAWS OF THE SAID KING, robbing, slaying, spoiling a great part of his faithfull people : Our said Sovereign Lord the King, considering the premises, with many other, which were more odious to remember, by advice and assent of the Lords Spiritual and Temporal, and at THE REQUEST OF THE COMMONS, and by Authority aforesaid, Hath ordained and established, that the said John Cade shall be had, named and declared, A FALSE TRAYTOR, to our said Sovereign Lord the King ; and that all his Tyranny, Acts, Feats, & false Opinions, shall be voided, abated, annulled, destroyed, and put out of

of remembrance for ever. And that all Indictments, and things depending thereof, had and made under the power of Tyranny, shall likewise be void, adnulled, abated, repealed, and holden for none: and that the blood of none of them be defiled, nor corrupted, but by the Authority of the said Parliament clearly declared for ever. And that all Indictments in time coming, in like case, under power of Tyranny, Rebellion and stirring had, shall be of no regard or effect, but void in Law: And all the Petitions * delivered to the said King in his last Parliament holden at Westminster, the sixth day of November the 29. of his Reign, against his minde, by him not agreed, shall be taken and put in Oblivion, out of Remembrance, undone, voided, adnulled and destroyed for ever, as a thing purposed against God and his Conscience, and against his Royal estate and preheminance, and also DISHONORABLE and UNREASONABLE.

* To wit by Cade and his Confederates for the alteration of the laws

5. In the * 8 year of King Henry the 8. William Bell, and Thomas Lacy, in the County of Kent, conspired with Thomas Cheney (the Hermite of the Queen of Fairies) TO OVERTHROW THE LAWS AND CUSTOMS OF THE REALM: for effecting whereof, they with 200 more met together, and concluded upon a course of raising greater forces in Kent, and the adjacent Shires; This was judged High Treason, and some of them executed as Traitors. Moreover, it * was resolved by all the Judges of England, in the reign of Henry 8. that an Insurrection against the Statute of Laborers, or for the inbansing of Salaries and wages, or against any Statute, or to remove Councillors, or to any other end pretending Reformation of their own heads, was TREASON, and a levying war against the King, BECAUSE IT WAS GENERALLY AGAINST THE KINGS LAW, and the Offenders took upon them THE REFORMATION THEREOF, which Subjects by gathering of power ought not to do.

* See Mr. St. John's argument against Strafford, p. 17.

Halls Chronicle and Holmshed.

* Cooks 3. Institutes p. 9, 10.

6. On * December 1. in the 21. year of King Henry the 8. Sr. Thomas Moore, Lord Chancellour of England, with fourteen more Lords of the Privy Council, John Fitz-James, Chief Justice of England, and Sir Anthony Fitz-Herbert,

* Cooks 4. Institutes c. 8. p. 89. to 96.

Herbert, one of the Judges of the Common Pleas, exhibited sundry Articles of Impeachment to King Henry the 8. against Cardinal Wolsey: That he had by divers and many sundry wayes and fashions, committed High Treason, and NOTABLE GRIEVOUS OFFENCES, by misusing altering and subverting of his Graces Laws, and otherwise, contrary to his high Honour, Prerogative, Crown, Estate, and Dignity Royal; to the inestimable great hinderance, diminution and decay of the universal wealth of this his Graces Realm. The Articles are 43. in number, the 20, 21, 26, 30, 35, 37, 42, 43. contain, his illegal arbitrary practises and proceedings to the subversion of the due course and order of his Graces Laws, to the undoing of a great number of his loving people. Whereupon they pray. Please therefore your most excellent Majesty of your excellent goodnesse towards the Weal of this your Realm, and subjects of the same, to set such order and direction upon the said Lord Cardinal, as may be to terrible example of other, to beware to offend your Grace, and your Laws hereafter: and that he be so provided for, that he never have any Power, Jurisdiction or authority hereafter, to trouble, vex or impoverish the common-wealth of this your Realm, as he hath done heretofore, to the great hurt and damage of every man almost, high and low. His *paysoning himself prevented his legal judgement for these his Practises.

* See Speed,
Hollinshed,
Grafton, Stow,
Antiquitates
Ecclesiæ Brit.
p. 378. & 379.
and Godwin
in his life.

7. The Statute of 3. and 4. Ed. c. 5, 6. enacts, That if any persons, to the number of twelve or more, being assembled together, shall intend, go about, practise or put in use with force and arms, unlawfully of their own authority, TO CHANGE ANY LAWS made for Religion, by authority of Parliament, OR ANY OTHER LAWS OR STATUTES OF THIS REALM, STANDING IN FORCE, OR ANY OF THEM; and shall continue together by the space of an houre, being commanded by a Justice of Peace, Mayor, Sheriffe, or other Officer to return: or shall by ringing of any Bell, sounding of any Trumpet, Drumme, Horn, &c. raise such a number of persons, to the intent to put any the things aforesaid in ure, IT SHALL BE HIGH TREASON, and the parties executed as Traytors: After this

this the Statute of 1 Maria c. 12. Enacted, That if twelve or more in manner aforesaid, shall endeavour by force to alter any of the Laws or Statutes of the Kingdome; the offenders shall from the time therein limited, be adjudged **ONELY AS FELONS**, whereas it was Treason before: but this Act continuing but till the next Parliament, and then expiring, the offence remains Treason, as formerly.

8. In the * 39. year of Queen Elizabeth, divers in the County of Oxford consulted together to go from house to house in that County, and from thence to London and other parts, to excite them to take arms for the throwing down of inclosures throughout the Realm; nothing more was prosecuted, nor assemblies made; yet in Easter Term 39. Elizabeth, it was resolved by all the Judges of England (who met about the Case) that this was High Treason, and a levying war against the Queen, because it was to throw down all inclosures throughout the Kingdom, to which they could pretend no right: and that the end of it was, **TO OVERTHROW THE LAWS AND STATUTES** for inclosures. Whereupon BRADSHAW and BURTON (two of the principal Offenders) were condemned and executed at Ainstow Hill in Oxfordshire, where they intended their first meeting.

9. To come nearer to our present times and case: In the last Parliament of King Charls, Anno 1640. * The whole House of Commons impeached Thomas Earl of Strafford, Lord Deputy of Ireland, of High Treason; amongst other Articles, for this Crime especially (wherein all the other centred) That he hath TREASONABLY ENDEAVOURED by his Words, Actions and Counsels, TO SUBVERT THE FUNDAMENTALL LAWS and GOVERNMENT OF ENGLAND and IRELAND, and introduce an arbitrary and Tyrannical Government. This the whole Parliament declared and adjudged to be High Treason, in and by their Votes, and a special Act of Parliament for his Attainder; for which he was condemned, and soon after executed on Tower-Hill, as a Traytor to the King and Kingdome, May 22. 1641.

* See the Journals of both Houses, & Act for his Attainder. Mr. Pym's Declaration upon the whole matter of the Charge of High Treason, against him, April 12. 1641. Mr. St. Johns argument at law, at his Attainder, and Diurnal Occurrences.

10. The whole House of Commons the same Parliament, impeached * William Laud Arch-bishop of Canterbury, of HIGH TREASON; in these very terms, February 6. 1640.

First, That he hath traiterously endeavoured to subvert the Fundamental Laws and Government of this Kingdome of England, and instead thereof, to introduce an arbitrary and tyrannical Government against Law: And he to that end hath wickedly and TRAITEROUSLY

advised his Majesty, that he * might at his own will and pleasure, levy and take money of his Subjects without THEIR CONSENT IN PARLIAMENT; and this he affirmed was warrantable by the law of God.

Secondly, He hath for the better accomplishment of that his Traiterous Desigue, advised and procured Sermons and other Discourses, to be preached, printed and published; in which the * Authority of Parliaments, and the force of the Laws of this Kingdome have been denied, and absolute and unlimited Power over the Persons and Estates of his Majesties Subjects maintained and defended, not onely in the King, but in himself and other Bishops, against the Law.

Thirdly, He hath by Letters, Messages, Threats and Promises, and by divers other wayes to Judges, and other Ministers of Justice, interrupted, perverted, and at other times by means aforesaid hath endeavoured to interrupt and pervert the course of Justice in his Majesties Courts at Westminster and other Courts, TO THE SUBVERSION OF THE LAWS OF THIS KINGDOME, whereby sundry of his Majesties Subjects have been stopt in their just suits, deprived of their lawfull Rights, and subjected to his Tyrannicall will, to their ruine and destruction.

Fourthly, That he hath traiterously endeavoured to corrupt the other Courts of Justice, by advising and procuring his Majesty to sell places of Judicature and other Offices, CONTRARY TO THE LAWS and CUSTOMES in that behalf.

Fifthly, That he hath TRAITEROUSLY caused a Book of Canons to be compiled and published, with-

‘out any lawfull warrant and Authority in that behalf;
 ‘in which pretended Canons * many matters are contained,
 ‘contrary to the Kings Prerogative, to the Fundamentall Laws
 ‘and Statutes of this Realm, to the Rights of Parliament, to
 ‘the Property and Liberty of the Subject, and matters tending
 ‘Sedition, and of dangerous consequence, and to the establish-
 ‘ing of a vast, unlawfull presumptuous power in himself and his
 ‘successors, &c.

*Are there not
 more such mat-
 ters contained
 in the new
 Instrument of
 Government
 than in these?*

‘Seventhly, That he hath traiterously endeavoured
 ‘to alter and subvert Gods true Religion BY LAW ESTA-
 ‘BLISHED; and instead thereof to set up Popish Reli-
 ‘gion and Idolatry: And to that end hath declared, and
 ‘maintained in Speeches and printed Books, diverse Po-
 ‘pish Doctrines and Opinions, contrary to the Articles
 ‘of Religion ESTABLISHED BY LAW. He hath urged
 ‘and enjoined divers Popish and Superstitious Ceremo-
 ‘nies WITHOUT ANY WARRANT OF LAW; and
 ‘hath cruelly persecuted those who have opposed the
 ‘same, by corporal punishment, and imprisonments;
 ‘and most unjustly vexed others, who refused to con-
 ‘form therunto by Ecclesiasticall Censures, Excommu-
 ‘nication, Suspension, * Deprivation, and Degradation,
 ‘CONTRARY TO THE LAWS of this kingdom.

** Have not ar-
 bitrary Commit-*

‘Thirteenth, He did by his own authority and power
 ‘contrary * to Law, procure sundry of his Majesties Sub-
 ‘jects, and enforced the Clergy of this Kingdom to con-
 ‘tribute towards the maintenance of the War against the
 ‘Scots.

*tees in most
 places done the
 like, or worse,
 in many cases?*

** Have not o-
 thers done the
 like in an high-
 er degree?*

‘That to preserve himself from being questioned, for
 ‘these & other his Traiterous courses, he hath laboured
 ‘to subvert the Rights of Parliament, and the ancient course of
 ‘Parliamentary proceedings, (and have not the Army Offi-
 ‘cers and others actually done it since upon the same
 ‘account?) and by false and malicious slanders to in-
 ‘cense his Majesty against Parliaments.

All which being proved against him at his Triall,
 were after solemn Argument by Mr. Samuel Brown, in
 behalf of the Commons House, proved; and soon

* See the Commons and Lords Journals, Diurnal Occurrences, p. 15, 16, 19, 37, 191 to 264. and Mr. St. Johns Speech at a Conference of both Houses of Parliament concerning Ship money & these Judges. Together with the Speeches of Mr. Hyde, Mr. Walter, M. Peirpoint, M. Denzil Hollis at their Impeachments, July 6. 1641. aggravating their offences, in Diurnal Occurrences and Speeches, p. 237 to 264.

* Now others presume to do it without writ or consulting with the judges who condemned it in them.

See c. 2. Proposition 1.

* Have not others been sole Judges of it, and other pretended dangers since?

after adjudged, to be High Treason at the Common Law, by both Houses of Parliament; and so declared in the Ordinance for his Attainder: for which he was condemned and beheaded as a Traitor, against the King, Law and Kingdom, on Tower Hill, January 10. 1644.

11. In the * same Parliament, December 21. Jan. 14. Febr. 11. 1640. and July 6. 1641. Sir John Finch, then Lord Keeper, Chief Justice Bramston, Judge Berkley, Judge Crawly, Chief Baron Davenport, Baron Weston, and Baron Trevor, were accused and impeached by the House of Commons, by several Articles transmitted to the Lords, OF HIGH TREASON, for that they had Traiterously and wickedly endeavoured, to subvert the Fundamental Laws and established Government of the Realm of ENGLAND; and instead thereof to introduce an Arbitrary and Tyrannical Government against Law; which they had declared, by traitorous and wicked words, opinions, judgements; and more especially in this their extrajudicial opinion, subscribed by them in the case of Ship money, viz. We are of opinion, that when the good and safety of the Kingdome in generall is concerned, and the whole Kingdome in danger; your Majesty may by Writ, under the Great Seal of England (without consent in Parliament) command all your Subjects of this your Kingdome, at their charge to provide and furnish such a number of Ships, with Men, Victuall and Ammunition, and for such time as your Majesty shall thinke fit for the Defence and safeguard of the Kingdome, from such danger and perill. And we are of Opinion, that in such case, your Majesty is the * sole Judge both of the danger, and when, and how, the same is to be prevented, and avoided. And likewise for arguing and giving judgment accordingly, in Mr. John Hampdens case, in the Exchequer Chamber, in the point of Ship-money, in April 1638. which said opinions, are Destructive to the Fundamental Laws of the Realm, the Subjects Right of Property, and contrary to former Resolutions in Parliament, and the Petition of Right; as the words of their severall Impeachments run. Sir John Finch fled the Realm, to preserve his head on his shoulders; some others of them died through fear, to prevent the danger, soon after their Impeachments, and the

the rest who were lesse peccant, were put to Fines.

12. Mr. John Pym, in his Declaration upon the whole matter of the charge of High Treason against Thom.^{as} Earl of Strafford, Aprill 12. 1641. before a Committee of both Houses of Parliament in Westminster Hall; printed and published by Order of the House of Commons; proves his endeavour to subvert the Fundamental Laws of England, and to introduce an Arbitrary Power; to be High Treason, and an offence very hainous in the nature, and mischievous in the effects thereof; which (saith he) will best appear, if it be examined by that universall and supream Law, *Salus Populi*: the element of all Laws, out of which they are derived: the end of all Laws, to which they are designed, and in which they are perfected.

1. "It is an offence comprehending all other Offences. 'Here you! shall finde several Treasons, Murthers, Rapines, Oppressions, Perjuries. There is in this Crime, a 'Seminary of all evils, hurtfull to a State; and if you 'consider the Reasons of it, it must needs be so. The 'Law, is that which puts a difference betwixt good and 'evill; betwixt just and unjust. If you take away the 'law, all things will fall into confusion; every man will 'become a law to himself, which in the depraved con- 'dition of humane nature, must needs produce many 'great enormities; * Lust will become a Law; and En- 'vy will become a law; Covetousnesse and Ambition 'will become laws; and what Dictates, what decisions 'such laws will produce, may easily be discerned in the 'late Government of Ireland (and England too since this.) 'The law hath a power to prevent, to restrain, to repair 'evils: without this all kindes of mischiefs and distempers will break in upon a State. It is the Law that intitles the King to the Allegiance and Service of his people: it intitles the People to the Protection and Justice of the King, &c. The Law is the Boundary, the measure 'betwixt the Kings Prerogative, and the Peoples Libertie; 'whiles these move in their Orbe, they are a support and security 'to one another; but if these Bounds be so removed, that they

Nota:

* And are they not so now?

'enter into contestation and conflict, one of these great
'mischiefs must needs ensue: if the Prerogative of the King o-
'verwhelm the Liberty of the people, it will be turned into Ty-
'ranny; If Liberty undermine the Prerogative, it will turn in-
'to Anarchy. The Law is the safeguard, the custody of all
'private interests: your Honours, your Lives, your Liberties,
'and your estates, are all in the keeping of the Law: without
'this, every man hath a like Right to any thing: and this is
'the condition into which the Irish were brought by the Earl of
'Strafford; (and the English by others who condemned
'him) And the reason which he gave for it, hath more
'mischief than the thing it self: THEY ARE A CON-
'QUERED NATION, (let those who now say the
'same of England, as well as Scotland and Ireland, consi-
'der and observe what followes) There cannot be a word
'more pregnant and fruitfull IN TREASON, than that word is.

* And did not
some at White-
Hall
do so of late,
and now too
witness their
volumes of
new Declarati-
ons, & edicts, Or-
dinances there
made.

There are few Nations in the world, that have not been con-
quered, and no doubt but the conquerour may give *what Laws he
please to those that are conquered. But if the succeeding Parts
and Agreements do not limit and restrain that right, what people
'can be secure? England hath been conquered, and Wales hath
'been conquered, and by this reason will be in little better case
'than Ireland. If the King by the Right of a Conquerour give
'Laws to his people, shall not the people by the same reason be
'restored to the Right of the conquered, to recover their Li-
berty if they can? What can be more hurtful, more per-
nicious, than such Propositions as these?

* Have not o-
thers taken up
such Principles
in their pratti-
ses, proceedings
even against
Kings
Kingdömes,
Parliament,
Peers, as well
as private per-
sons?

2. 'It is dangerous to the Kings Person: and dangerous
to his Crown: it is apt to cherish ambition, usurpation,
and oppression in great men: and to beget sedition, dis-
'content in the people, and both these have been, and in
'reason must ever be great causes of trouble and altera-
'tions to Prince and State. If the Histories of those Ea-
'stern Countries be perused, where Princes order their
'affairs, according to the *mischievous Principles of
'the Earl of Strafford, Loose and absolved from all Rules of
'Government, they will be found to be frequent in com-
bustions, full of Massacres, and the tragical end of Prin-
ces

'ces. If any man shall look into our own Stories, in the
'times when the Laws were most neglected, he shall
'finde them full of Commotions, of Civill distempers,
'whereby the Kings, that then raigned, were alwaies kept
'in want and distresse, the people consumed with CIVIL
'WARS: and by such wicked Counsels as these, some
'of our Princes have been brought to such miserable
'ends, As * no honest heart can remember without horrow
'and earnest Prayer, that it may never be so again.

Nota.

** Note this, all
the whole Com-
mons-House co-
pion then.*

3. 'As it is dangerous to the Kings Person and Crown,
'so it is in other respects very prejudiciall to his Majesty,
'in honour, profit and greatnesse (which he there proves
'at large, as you may there read at leisure) and yet
'these are the Guildings and Paintings, that are put up-
'on such Counsels: These are for your Honour, for
'your Service.

4. 'It is inconsistent with the Peace, the Wealth, the
'Prosperity of a Nation. It is destructive to Justice, the
'mother of Peace: to Industry, the spring of Wealth;
'to Valour, which is the active vertue whereby the Pro-
'sperity of a Nation can onely be procured, confirmed,
'and enlarged. It is not onely apt to take away Peace,
'and so intangle the Nation with Wars, but doth cor-
'rupt Peace, and pours such a Malignity into it, as pro-
'duceth the effects of Warre: both to the * NOBILITY
'and others, having as little security of THEIR PER-
'SONS OR ESTATES, in this peaceable time, as if the
'Kingdome had been under the fury and rage of Warre.
'And as for industry and valour, who will take pains
'for that, which when he hath gotten is not his own?
'or who fights for that wherein he hath no other inte-
'rest, but such as is subject to the will of another? &c.
'Shall it be Treason to embase the Kings Coyne; though
'but a piece of twelve pence or six pence, and must it not
'needs be the effect of greater Treason to * embase the spi-
'rits of his Subjects, and to set a stamp and character of
'Servitude upon them, whereby they shall be disabled to
'do any thing for the service of the King or Common-
'wealth?

** Is not this an
experimental
truth now?*

** And were they
ever so base,
cowardly, fla-
vish as now?*

5. 'In times of sudden danger, by the Invasion of an Enemy, it will disable his Majesty to preserve himself, and his Subjects from that danger: When war threatens a Kingdome, by the coming of a Forraign Enemy, it is no time then to discontent the people, to make them weary of the PRESENT GOVERNMENT, and more inclinable to a change. The supplies which are to come in this way, will be unready, uncertain; there can be no assurance of them, no dependance upon them, either for time or proportion. And if some money be gotten in such a way, the distractions, the divisions, distempers, which this course is apt to produce, will be more prejudicial to the publike safety, than the supply can be advantageous to it.

6. 'This crime is contrary to the Paſſ and Covenant between the King and his People; by mutuall agreement and stipulation, confirmed by OATH on both sides.

7. 'It is an Offence that is contrary to the ends of Government.

* Was ever
their power, violence so unlimited, unbounded in all kinds as now, against Kings, kingdoms, Parliaments, Peers, People?
* Is it not most true of late and still?

1. 'To prevent Oppressions; to * limit and restrain the excessive power and violence of great men; to open passages of Justice with indifferency towards all.

2. 'To preserve men in their Estates, to secure them in their Lives and Liberties.

3. 'That Vertue should be cherished, and Vice suppressed; but where Laws are subverted, and Arbitrary, and unlimited power set up; a way is open not onely for the security, (as now of all heresies) but for the advancement and encouragement of evil.

* Such men as are * aptest for the execution and maintenance of this power, are onely capable of preferment; and others, who will not be Instruments of any unjust Commands, who make Conscience to do any thing against the law of the Kingdome, and liberties of the Subject, are not onely not passable for employment; but **SUBJECT TO MUCH JEALOUSIE and DANGER.** (Is not this their condition of late and present times, even in Parliament Members themselves, as well as others, secured, secluded, kept close prisoners perforce, for making Conscience of doing nothing against the

the Laws and Liberties of the Kingdom, and their Oaths and Covenants too? and refusing to comply with usurping Innovators in all their self-seeking extravagancies and Treasons? *expertus loquor.*)

4. That all accidents and events, all Counsels and Designs should be improved for the publique good. But this arbitrary power is apt to dispose all to the maintenance of it self. (And is it not so now?)

8. 'The Treasons of subversion of the laws, violation of Liberties can never be good or justifiable by any circumstance or occasion, being in their own nature, how specious or good soever they be pretended. He alledgeth it was a time of GREAT NECESSITY and DANGER, when such Counsels were necessary, FOR THE PRESERVATION OF THE STATE, (the Plea since, and now used by others, who condemned him;) If there were any NECESSITY IT WAS OF HIS OWN MAKING. He by his evil Counsel had brought the King (as others the Kingdome since) into a Necessity; and by no rules of Justice can be allowed to gain this advantage to his Justification; which is A GREAT PART OF HIS OFFENCE.

Nota.

9. 'As this is Treason in the nature of it, so it doth exceed all other Treasons in this; that in the Designe and endeavour of the Authour, it was to be A CONSTANT and PERMANENT TREASON; a standing perpetual Treason; which would have been in continual Act, not determined within one time or age, but transmitted to Posterity, even from Generation to Generation. And are not * others Treasons of late times such, proclaimed such, in and by their own Printed papers; and therein exceeding Straffords?

* See Article 2, 2, 3, 4, 5, 10, 11, 12, 13, 16, 21, 22, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 39 & p. 45, 46. of the Government of the Commonwealth of England, &c.

* Doth not the Declaration of 17 March 1648 and the Instrument of the new Government do it, in the highest degree?

10. 'As it is odious in the nature of it, so it is odious in the Judgement and estimation of the Law. TO ALTER THE SETTLED FRAME and CONSTITUTION OF GOVERNMENT, IS TREASON IN ANY ESTATE. (Let those consider it who are guilty of it in the highest degree, beyond Strafford, Canterbury, or the Shipmony-Judges in our own State.) The Laws

G

whereby

‘whereby all parts of a Kingdome are preserved, should
 ‘be very vain and defective, if they had not a power to se-
 ‘cure and preserve themselves.

‘The Forfeitures inflicted for Treason by our Law, are
 ‘of Life, Honour, and Estate, even all that can be forfei-
 ‘ted: and this Prisoner, although he should *pay all these
 ‘Forfeitures, will still be a Debtor to the Common-wealth.
 ‘Nothing can be more equal, than that he should perish by
 ‘the Justice of the Law, which he would have subverted: nei-
 ‘ther will this be a New way of blood. There are marks
 ‘enough to trace this Law to the very Original of this
 ‘Kingdome. And if it hath not been put in execution,
 ‘as he alledgeth, this two hundred and forty years; it
 ‘was not for want of LAW, but that all that time had
 ‘not bred a man *bold enough to commit such Crimes
 ‘as these: which is a circumstance much aggravating his
 ‘Offence, and making him no lesse liable to punishment:
 ‘he is THE *ONLY MAN, that in so
 ‘long a time hath ventured UPON SUCH A TREA-
 ‘SON AS THIS.

* But have not
 our times bred
 men much bol-
 der than he,
 sincethis speech
 was made, and
 he executed?

* Since, he hath
 many followers

Thus far Mr. John Pym; in the Name and by the Or-
 der and Authority of the whole Commons House in Parlia-
 ment: which I wish all those, who by their Words, Acti-
 ons Counsels (and printed Publications too) have traite-
 rously endeavoured to subvert the Fundamentall Laws, Liberties,
 Government, Parliaments of England and Ireland, and to
 introduce an Arbitrary and Tyrannical Government against law,
 as much as ever Strafford did, yea, far out stripped him
 therein (even since his execution) in all particulars, for
 which he was beheaded; would now seriously lay to
 heart, and speedily reform, lest they equal or exceed him
 in conclusion in capital punishments for the same, or end-
 lesse Hellish Torments.

13. The next Authority I shall produce in point, is,
 The Speech and Declaration of Master Oliver St. John,
 at a Conference of both Houses of Parliament, concern-
 ing SHIPMONEY, upon Judge Finches Impeachment
 of High Treason, January 14. 1640. printed by the Com-
 mons

mons Order, London, 1641. wherein he thus declares the sense of the Commons, p. 12. &c.

‘That by the Judges opinions (*forecited) concerning Ship-
‘mony, THE FUNDAMENTAL LAWS OF THE * p. 36.
‘REALM CONCERNING OUR PROPERTIES
‘and OUR PERSONS ARE SHAKEN: whose Trea-
‘sonable Offence herein, he thus aggravates, page 20. &c.
‘The Judges, as is declared in the Parliament of 11 R.2.
‘are the Executors of the Statutes, and of the Judgments and
‘Ordinances of Parliament. They have made themselves the
‘* EXECUTIONERS OF THEM; they have in- * Have none
‘deavoured the DESTRUCTION OF THE FUNDA- done so since
‘MENTALS OF OUR LAWS and LIBERTIES. them?
‘Holland in the Low Countries, lies under the Sea:
‘the superficies of the Land, is lower than the
‘superficies of the Sea. It is Capitall therefore for any
‘man to cut the Banks, because they defend the Coun- See Chap. 2.
‘try: Besides our own, even Forraign Authours, as Proposition. 1.
‘Comines, observes, That the Statute DE TALLAGIO,
‘and the other Old Laws, are the Sea Walls and Banks,
‘which keep the Commons from the inundation of the
‘Prerogative.

‘These * Pioners have not onely undermined these banks, * Have not o-
‘but have levelled them even with the ground. If one ther Pioners
‘that was known to be Hostis Patriæ, had done this, and Judasses
‘though the Dammage be the same, yet the Guilt is lesse, done the like?
‘but the Conservatores Riparum, the Overseers intrusted
‘with the Defence of these Banks, for them to destroy
‘them; the breach of Trust aggravates, nay, alters the
‘nature of the offence: Breach of Trust, though in a pri-
‘vate Person, and in the least things, is odious amongst
‘all men: much more in a publike Person, in things
‘of great and publike concernment, because * GREAT
‘TRUST BINDES THE PARTY TRUSTED * This is grown
‘TO GREATEST CARE AND FIDELI- a mere Paradox
‘TY. of late years, in
Judges, sould-
diers & others

* *What are they now of late times of public Changes?*

* See 27 H. 8. c. 24, 26. Magna Charta c. 12. 29. 52. H. 3. c. 1, 3, 5, 9, 20. 3 E. 1. c. 44, 45, 46. 13 E. 1. c. 10, 12, 30, 31, 35, 39, 44, 45. 25 E. 1. c. 1, 2. 27 E. 1. c. 2, 3. 34 E. 1. c. 6. 12 E. 2. c. 6. 2 E. 3. c. 3. 14 E. 3. c. 10. 16. Rastal Justices.

* *Was it ever so frequent a sin as now in all sorts of late Judges, Officers, Subjects;*

* *Do none deserve as severe now?*

* See Cookes 3. Institutes p. 146, 147, and page 133. Homishped, page 284, 285. Speeds History page 651. Stow, Walsingham, Daniel in 18. E. 1.

‘It is TREASON in the Constable of Dover Castle to deliver the Keys to the known enemies of the Kingdom: Whereas if the House-keeper of a private person, deliver possession to his Adversary, it is a crime scarce punishable by Law. The Judges under his Majesty, are the Persons trusted with the Laws, and in them with the Lives, Liberties and Estates of the whole Kingdom. This Trust of all we have, is primarily from his Majesty, and * from him delegated to the Judges. His Majesty at his Coronation, is bound by his Oath TO EXECUTE JUSTICE TO HIS PEOPLE ACCORDING TO THE LAWES; thereby to assure the People of the faithful performance of his GREAT TRUST: His Majesty again, as he trusts the Judges with the performance of this part of his Oath; so doth he likewise exact another Oath of them, for their due execution of Justice to the people, according to the Laws: hereby the Judges stand intrusted with this part of his Majesties Oath. If therefore the Judges shall do wittingly against the Law, they do not onely break their own Oaths, and therein the Common Faith and Trust of the whole Kingdom; but do as much as in them lies, asperse & blemish the sacred Person of his Majesty, with the odious and hatefull sin of * Perjury.

‘My Lords, the hainousness of this offence is most legible in the * severe punishment, which former Ages have inflicted upon those Judges, who have broken any part of their Oaths wittingly, though in things not so dangerous to the Subject, as in the case in question.

* Sir Thomas Wayland, Chief Justice of the Common Pleas 17. E. 1. was attainted of Felony for taking Bribes,

Speeds History page 651. Stow, Walsingham, Daniel in

18. E. 1.

and his Lands and Goods forfeited, as appears in the Pleas
of Parliament, 18 E. 1. and he was banished the Kingdom,
as unworthy to live in the State, against which he
had so much offended.

Sir * William Thorpe Chief Justice of the Kings Bench, * See Cooks 3
in Edward the thirds time, having of five persons re- *Inst. p. 145.*
ceived five severall Bribes, which in all amounted to
one hundred pounds, was for this alone, adjudged to
be hanged, and all his Goods and Lands forfeited: The rea-
son of the Judgment is entered in the Roll, in these
words. *Quia predictus Willielmus* Thorp qui Sacramen-* * Have none of
tum Domini Regis erga populum suum habuit ad custodiendum, this name, or of
fregit malitiose, falso & rebelliter, quantum in ipso fuit. this Function
There is a notable Declaration in that Judgement, that *since done as*
this judgement was not to be drawn into example, a- *bad or worse*
gainst any other Officers, who should break their *in an high-*
Oaths, but onely against those, *er degree:*
*mentum fecerunt, & frugerunt, & * habent Leges Anglie* * Let Custodes
ad custodiendum: That is, onely to the Judges Oaths, who *Legum & Li-*
have the Laws intrusted unto them. This Judgment *bertatum An-*
was given 24 E. 3. The next year in Parliament 25 E. *glix and those*
3. Numb. 10. it was debated in Parliament, whether *now called*
this Judgement was legall? Et nullo contradicente, it *Judges, re-*
was declared, TO BE JUST AND ACCORDING *member it?*
TO THE LAW: and the * same Judgement may be gi- * Let the Repor-
ven in time to come upon the like occasion. This case is in *ter and others.*
point, That it is death for any JUDGE wittingly to break *now consider it*
his OATH in any part of it. This OATH of THORP
is entred in the Roll, and the same Verbatim with the
Judges OATH in 18 Edw. 3. and is the same which the
Judges now take. (And let those who have taken the
same Oath, with the * OATHES OF SUPRE- * 1 Eliz. c. 1.
MACY and ALLEGIANCE too, remember 3 Jac. c. 4.
and apply this PRESIDENT, lest others do it for 7 Jac. c. 6.
them.)

Your Lordships will give me leave to observe the dif-
ferences between that and the case in question.

1. 'That of *Thorp*, was onely a selling of the Law by
' *Retaile*, to these five persons; for he had five severall
' Bribes, of these five persons; the Passage of the Law
' to the rest of the Subjects, for ought appears, was free
' and open. But these *Opinions* are a conveyance of the
' Law by *whole sale*, and that not to, but from the Sub-
' ject.

2. 'In that of *Thorp*, as to those five persons, it was
' not an absolute deniall of Justice, it was not a damming
' up, but a straitning onely of the Chancel. For whereas,
' the Judges ought *Judicium reddere*, that is, the Lawes
' being THE BIRTH-RIGHT and INHERITANCE
' OF THE SUBJECT, the Judge when the parties in
' suit demand Judgment, should *re-dare*, freely restore
' the Right unto them; now he doth not dare, but *ven-*
' *dere*, with hazard onely of perverting Justice; for the
' party that buyes the Judgment, may have a good and
' honest cause. But these *Opinions*, besides that, they have
' cost the Subjects very dear, dearer than any; nay, I
' think, I may truly say, than all the unjust Judgments
' that ever have been given in this Realm, witnesse the
' many hundred thousand pounds, which under colour
' of them, have been levied upon the Subjects, amount-
' ing to*seven hundred thousand pounds and upwards,
' that have been paid unto the *Treasurers* of the Navy (in
' sundry years) besides what the Subjects have been for-
' ced to pay *Sheriffs*, *Sheriffs Bailiffs* (and now an hun-
' dred times more to *Troopers*, and *Souldiers*, who for-
' cibly levy their unlawfull Contributions and Excises,
' though adjudged HIGH TREASON in *Straffords* case,
' and proved such by Master *St. John*) and otherwise;
' which altogether as is conceived, amounts not to lesse
' than a *Million* (in five years space, whereas we pay above
' two Millions in Taxes, *Imposts*, *Excises*, every year)
' besides the infinite vexations of the Subject, by suits in
' Law, binding them over, and attendance at the Coun-
' cel Table, taking them from their necessary employ-
' ments, in making *Sesses* and *Collections*, and impri-
sonment

* This is no-
thing incompa-
rison to the late
Taxes, Ship mo-
ny, Excises im-
posed on the
subjects, with-
out a Partia-
ment, amount-
ing to above 20
times as much
as the Kings
Ship mony, and
more frequent,
uncessant, and
endlesse therin.

‘sonment of their persons (all now trebled to what
 ‘then.) I say, Besides what is past, to make our mis-
 ‘eries compleat, they have as much as in them is, MADE
 ‘THEM ENDLESSE (as others since have done, by un-
 ‘cessant endlesse Taxes and Excises:) for by these opi-
 ‘nions, they have put upon themselves and their suc-
 ‘cessors, *An impossibility of ever doing us right again, and*
 ‘*an incapacity upon us of demanding it so long as they continue.*
 (As the Compilers of the late *Instrument*, with 42 Strings,
 intituled, *The Government of the Common Wealth of Eng-*
land, &c. Article 1, 2, 3, 9, 10, 12, 22, 24, 25, 27, 28, 29, 31,
 32, 36, 37, 38, 39. have done, as far as they, and much be-
 yond them.)

‘In that fore famine in the Land of Egypt, when the
 ‘inhabitants were reduced to the next door to death;
 ‘(for there they say, why should we die?) for bread,
 ‘first they give their money, next their Flocks and Cat-
 ‘tle; last of all, their Persons and Lands for Bread, all
 ‘became *Pharoahs*; but by this, *Lex Regia*, there is a
 ‘transaction made, not onely of our Persons, but of
 ‘our bread likewise, wherewith our persons should be
 ‘sustained; that was for bread, this of our bread. For
 ‘since these Opinions, if we have any thing at all, we
 ‘are *not at all beholding TO THE LAW FOR
 ‘IT, but are wholly cast UPON THE MERCY and
 ‘GOODNESSE OF THE KING.

‘Again, there the *Egyptians* themselves, sold them-
 ‘selves, and all they had to the King: if ours had been so
 ‘done; if it had been so done by our own free consent
 ‘in *PARLIAMENT*, we had the lesse cause to com-
 ‘plain. But it was done against our Wils, and by those who
 ‘were intrusted, and that UPON OATH, with the preser-
 ‘vation of these things for us. The Laws are our Forts and
 ‘Bulwarks of defence: If the Captain of a Castle, only out of
 ‘fear and cowardice, and not for any compliance with the
 ‘enemy, surrender it, this is *Treason*, as was adjudged in
 ‘Parliament, 1 R. 2. in the two Cases of *Gomines* and *We-*
 ‘*ston*, and in the Case of the Lord *Gray*, for surrendring

* Are we now
 beholding to it
 for any thing a-
 gainst the onely
 new Law of the
 longest sword?
 which takes,
 imposeth what
 when, and how
 much it plea-
 seth, without
 accompt, or di-
 spute, from all
 sorts and de-
 grees of
 Persons; and
 that by those
 who were com-
 missioned, trust-
 ed, engaged by
 Oaths, Protec-
 tions, Vows,
 League and
 Covenant to
 preserve our
 laws and pro-
 perties.

Barwick

*Barmick Castle to the Scots; in Edward the thirds time, though good Defence had been made by him, and that he had lost his eldest Son in maintenance of the Siege: and yet the losse of a CASTLE loseth not the Kingdom, onely the place and adjacent parts, with trouble to the whole. But by these Opinions, there is a Surrender made of all our Legall Defence of Property: that which hath been Preacht, is now judged; that there is no Meum and Tuum, * between the KING AND PEOPLE; besides that which concerns our Persons.*

** Is there any between the late & present powers and them, further or longer than they please?*

** Are they not so now?*

** It is not so now, when others who condemned and beheaded him for a Tyrant, say, pretend and act it over and over.*

Nota.

*The LAW is the TEMPLE, the Sanctuary, whether Subjects ought to run for SHELTER and REFUGE: Hereby it is become Templum sine Numine, as as was the Temple built by the Roman Emperour, who after he had built it, put no Gods into it: We have the Letter of the Law still, but not the sense: We have the Fabrick of the TEMPLE still, but the *Dii Tutelares are gone. But this is not all the case, that is, That the law now ceaseth to aid and defend us in our RIGHTS, for then possession alone were a good Title, if there were no Law to take it away: Occupanti concederetur, & melior esset Possidentis conditio: But this, though too bad, is not the worst: for besides that which is Private in these Opinions, there is somewhat Positive. For now the Law doth not onely not defend us, but the Law, it self, (by temporizing Judges and Lawyers) is made the Instrument of taking all away. For whensoever * his Majesty or his Successors, shall be pleased to say, that the good and safety of the Kingdome is concerned, and that the whole kingdome is in danger, the when, and how the same is to be prevented, makes our persons and all we have liable to bare Will and Pleasure. By this meanes, the Sanctuary is turned into a Shambls; the Forts are not slighted, that so they might neither do us good or hurt; But they are held against us by those who ought to have held them for us, and the mouth of our own Canon is turned upon our own selves: (And that by our*

our own Military Officers, Souldiers and others since, as well as the Ship money Judges then.) Thus far Master Oliver St. John (by the Commons Order) whose words I thought fit thus to transcribe at large; because not only most pertinent, but *seasonable* for the present times; wherein as in a Looking Glasse, some pretended Judges and Grandees, of these present and late past times, may behold their own faces and deformities; and the whole Nation their sad condition under them. In the residue of that Printed Speech, he compares the *Treason* of the *Ship-money Judges*, and of Sir Robert Tresylium and his Complices in the 11 of R.2. (condemned, executed for Traitors by Judgment in Parliament, for endeavouring to subvert the Laws and Statutes of the Realm by their illegall Opinions, then delivered to King Richard at Nottingham Castle, not out of conspiracy, but for fear of death, and corporall Torments, wherewith they were menaced:) whose offence he makes transcendent to theirs in * six particulars, as those who please may there read at leisure, being over large to transcribe.

* worth consideration of those of the long robe.

I could here inform you, that the Fundamentall Laws of our Nation, are the same in the Body Politique of the Realm, as the Arteries, Nerves, Veines, are in, and to the natural Body, the Bark to the Tree; the Foundation to the House: and therefore the cutting of them a sunder, or their Subversion, must of necessity, kill, destroy, disjoyn and ruine the whole Realm at once: Wherefore it must be Treason in the highest degree. But I shall onely subjoyn here some materiall Passages, in Master St. Johns Argument at Law, concerning the Attainder of High Treason of Thomas Earle of Strafford, before a Committee of both Houses of Parliament in Westminster Hall, Aprill 29. 1641. soon after Printed and published by Order of the Commons House: Wherein p.8. he lays down this Position; recited again, p.64.

That (Straffords) endeavouring, To subvert the Fundamentall Lawes and Government of England and Ireland, and instead therefore to introduce a Tyranni-

call Government against Law, is Treason by the Common Law. That Treasons at the Common Law are not taken away by the statutes of 25. E.3. 1H. 4.c. 10. 1Mar.c. 1. nor any of them.

The Authorities, Judgements, in and out of Parliament, which he cites to prove it, have been already mentioned, some others he omitted; I shall therefore but transcribe his Reasons to evince it to be Treason, superadded to those alledged by him against the Ship-mony Judges.

Page 12. It is a War against the King (Let our Military Officers and Souldiers consider it) when intended. For alteration of the Laws or Government in any part of them, This is a levying War against the King (and so Treason within the Statute of 25.E 3.)

1. Because the King doth maintain and protect the Laws in every part of them.

2. Because they are the Kings Laws; He is the Fountain from whence in their severall Channels, they are derived to the Subiect. Whence all our indictments run thus: Trespases laid to be done, Contra pacem Domini Regis, &c. against the Kings peace for exorbitant offences; though not intended against the Kings Person; against the King, his Crown and Dignity.

Page 64. In this I shall not labour at all to prove, That the endeavouring by words, Counsels and actions, To subvert the Fundamental Laws and Government of the Kingdom, is Treason at the Common Law. If there be any Common Law Treasons at all left *NOTHING TREASON IF THIS IS NOT, TO MAKE A KING-DOME NO KINGDOME. Take the Policy and Government away, Englands but a piece of earth, wherein so many men have their commerce and abode, without rank or distinction of men, without property in any thing further than in possession; no Law to punish the murdering or robbing one another.

And how many are guilty of this Treason

See Huf. 3 4, 5.

cap. 10. 3, 4.

cap. 1. 4.

Zech. 9. v. 5.

Hab. 1. 10, 14,

15. Mic. 4. 9.

10. Amos 1.

13, 14, 15. Lam. 5.

Ezech. 19. 1, 14.

Isay 17. 3, 6, 7, 16.

Jer. 17. 25, 27.

cap. 18. 7, 8,

cap. 22. 3. 10 13.

cap. 25. 8 to 38.

cap. 51. 20.

Proverb 28. 2.

Ezech. 17. 14.

cap. 29. 14,

Isa. 47. verse 5.

Daniel 4. verse 17.

'Page 70, 71, 72. The horridnesse of the offence in endeavouring to overthrow the Laws and present Government, hath been fully opened before. The Parliament is the representation of the whole Kingdome, wherein the King as Head, your Lordships as the more Noble, and the Commons, the other Members are * knit together in one body Politique. This dissolves the Artēries and Ligaments that hold the body together, THE LAWS. He that takes away the Laws, takes not away the Allegiance of one Subject only, but of the whole Kingdome. It was made Treason by the Statute of 13 Eliz. for her time to affirm, That the Laws of the Realm do not binde the descent of the Crown. No Law, no descent at all, NO LAWS NO PEER-AGE, no ranks nor degrees of men, the same condition to all. Its Treason to kill a Judge upon the Bench; this kills not *Judicem*, sed *Judicium*. There be twelve men, but no Law; never a Judge amongst them. Its Felony to embezell any one of the Judicial Records of the Kingdome: THIS AT ONCE SWEEPS THEM ALL AWAY and FROM ALL. Its Teason to counterfeit a Twenty shilling peice; Here's a * counterfeit-

* Are they so now? and who have dissolved the Ligaments that so merly united and held them together?

* Have we not many counterfeit laws and Acts of Parliament of late? and yet some counterfeit Judges that execute and give them in charge as true ones?

'My Lords, If the question were asked in Westminster Hall, whether this were a Crime punishable in the Star Chamber, or in THE KINGS BENCH, by Fine or Imprisonment? They would say, It were higher. If whether Felony? They would say, That is an Offence onely against the Life or Goods of some one, or few persons. It would I believe be answered by the JUDGES, as it was by the Chief Justice Thurning, in the 21 R. 2. That though he could not judge the Case TREASON there before him, yet if he

‘were a Peer in Parliament; HE WOULD SO AD-
 ‘JUDGE IT. (And so the Peers did here in *Straffords*,
 ‘and not long after in *Canterburies* case, who both lost
 ‘their Heads on Tower-Hill.)

I have transcribed these Passages of Mr. *Oliver S. John* at large for five Reasons.

1. Because they were the Voice and Sence of the whole House of Commons by his mouth; who afterwards owned and ratified them by their special Order, for their publication in Print, for information and satisfaction of the whole Nation, and terrour of all others, who should after that, either secretly or openly, by fraud or force, directly or indirectly, attempt the subversion of all, or any of our *Fundamental Laws* or *Liberties*, or the alteration of our *Fundamental Government*, or setting up any Arbitrary or Tyrannical Power, Taxes, Impositions, or new kinds of arbitrary Judicatories, and imprisonments against these our Laws and Liberties.

2. To minde and inform all such who have not onely equalled, but transcended *Strafford* and *Canterbury* in these their HIGH TREASONS, even since these PUBLICATIONS, SPEECHES, and their EXEMPLARY EXECUTIONS, of the hainousnesse, in excusablenesse, wilfulnesse, maliciousnesse, Capitalnesse of their Crimes; which not onely the whole Parliament in generality, but many of themselves, in particular, so severely prosecuted, condemned, and inexorably punished of late years in them: that so they may sadly consider, bewail, repent, reform them with all speed and diligence, as much as in them lies. And withall, I shall exhort them seriously to consider that Gospel terrifying passage, (if they have not quite sinned away all Conscience, Shame, Christianity, Religion and Fear of the last Judge, and Judgement to come) Rom. 2.1, 2, 3. *Therefore thou art inexcusable O man, whosoever thou art that judgest; for wherein thou judgest another, thou CONDEMNEST THY SELF, FOR THOU THAT JUDGEST DOEST THOU THE SAME THING.* But we
 are

are sure that the Judgment of God is according to truth, against them who commit such things. And thinkest thou this, O man, that judgest them which do such things; and doest the same, that thou shalt escape the Judgment of God?

3. To excite all Lawyers (especially such, who of late times have taken upon them the stile & power of Judges) to examine their Consciences, Actions, how far, all or any of them have been guilty, in the highest degree of these Crimes and Treasons, so highly aggravated, so exemplarily punished of former and later times, in corrupt, cowardly time-serving, degenerate Lawyers, and Judasses, rather than Judges; to the disgrace of their Profession, (now generally spoken against) their own dishonour, infamy, reproach, the scandall of Religion, which some of them have eminently professed: the prejudice and subversion of the *Fundamentall Laws, Liberties, Rights, Priviledges of our Nation, Peers, Parliaments*, and of the ancient *Fundamental Government* of this famous Kingdom, whereof they are Members: and that contrary to some of their own late *Judgments*, sciences, Consciences, Votes, Printed Arguments, Speeches, Declarations, against others, even in and out of Parliament? and their own first *Charges* in their Circuits, repugnant to their latter.

4. To instruct those Jesuited Anabaptists, Levellers, and their Factors, (especially John Carne, and the rest of the Compilers, Publishers, Abettors of the Pamphlet intitled, *Leutenant Colonel John Lilburn, tried and cast*; and other forementioned publications :) who professedly set themselves by Words, Writings, Counsels and overt Acts to subvert both our old Fundamentall (with all other) *Laws, Liberties, Customs, Parliaments*, and Government, what transcendent *Malefactors, Traitors, and Enemies* they are to the publique, and what *Capital punishments* they may incurre, as well as demerit, should they be legally prosecuted for the same; and thereupon to advise them timely to repent of, and desist from such high *Treasonable attempts*.

5. To clear both my self and this my seasonable Defence of our *Fundamental Laws, Liberties, Government*, from the least suspicion or shadow of *Faction, Sedition, Treason and Enmity* to the publique peace, weal, settlement of the Nation, which those, (and those onely) who are most factious, and seditious, and the greatest Enemies, Traitors to the publique tranquillity, Weal, Laws, Liberties, Government, and establishment of our Kingdome (as the premises evidence) will be ready maliciously to asperse both me and it with, as they have done heretofore some other of my Writings of this Nature, with all which, they must first brand Mr. St. John, Mr. Pym, the whole House of Commons, the two last, with all other Parliaments forecited, and themselves too (from which they are so much changed and degenerated of late years) ere they can accuse, traduce, or censure me; who do but barely relate, apply their words and judgments in their purest times, without malice or partiality, for the whole Kingdomes benefit; security, and resettlement.

To these punctual full Juries of Records and Parliament Authorities in point, I could accumulate *St. Edward Cook* his 3. Institutes, p. 9. printed and authorised by the House of Commons speciall Order, the last Parliament. The severall Speeches of *M. Hide, M. Waller, M. Pierpoint, and M. Hollis*, July 6. 1641. at the Lords Bar in Parliament, by Order of the Commons House, at the *Impeachment of the Shipmony Judges of High Treason*, printed in *Diurnal Occurrences, and Speeches in Parliament*, London, 1641. p. 237, to 264. *M. Samuel Browns* Argument at law before the Lords and Commons at *Canterburies Attainder*, all manifesting, their endeavouring to subvert the *Fundamental Laws and Government of the Realm*, to be *High Treason*; with sundry other printed Authorities to prove; That we have * *Fundamental Laws, Liberties, Rights*; and a *Fundamental Government* likewise; which ought not to be innovated, violated, or subverted upon any pretences whatsoever, by any power or prevailing Faction. Which *Fundamental Rights, Liberties, Laws*, *Sr. Thomas Fairfax*, and the Army under his Command,

* See *Exact Collection*, p. 4.
12. 243, 262.
321.

Command, by their Declaration of June 14. 1647. particularly promise and engage, to assert & vindicate against all arbitray power, violence, oppression, and against all particular parties or Interests whatsoever, which they may doe well to remember and make good. But to avoid prolixity (the double Jury of irrefragable and punctuall authorities already produced being sufficient to satisfie the most obstinate opposites formerly contradicting it) I shall onely adde three swaying authorities more, where-with I shall conclude this point.

The first, is a very late one, in a Treatise, intituled, *A* * *surely there*
** true State of the Common Wealth of England, Scotland,* *are sundry fals-*
and Ireland, and the Dominions thereunto belonging, *hoods in it, as*
in Reference to the late established Government by a *well as some*
Lord Protector and a PARLIAMENT. It being the *truths.*
Judgement of DIVERSE PERSONS, who through-
out these late troubles, have approved themselves * *If we believe*
faithfull to the Cause, and interest of God, and their *themselves in*
COUNTRY: presented to the publike, for the satis- *their own cases*
faction of others. Printed at London, 1654. who re-
lating the miscarriages of the last ASSEMBLY at West-
minster (elected, nominated by the Censurers of them, the
Army Officers onely, not the people) use these ex-
pressions of them, page 13, 14, 16, 17, 21, 22. 'But on
'the contrary, it so fell out in a short time, that there
'appeared many in this Assembly of very contrary
'principles to the interest aforesaid, which led them
'violently on to attempt and promote many things, the
'consequence whereof would have been, A subverting of
the Fundamentall Laws of the Land, the Destruction of
Property, and an utter extinguishment of the Gospel.
In truth their Principles led them TO A PULLING
DOWN ALL AND ESTABLISHING NOTHING.
'So that instead of the expected settlement, they were
'running into FURTHER ANARCHY AND CON-
'FUSION. As to the Laws and Civil Rights of the Na-
'tion, nothing would serve them, but a TOTALL
ERADICATION OF THE OLD,
AND, INTRODUCTION OF A NEW:
and

* Some mens
actions since,
declare they
had some other
ground and
ayms than this.

* Those who si-
vere and dis-
joynt one house
from the other;
and by force &
armed power
seclude, exclude
and disjoynt the
members of the
same House, one
from another,
so many times
one after ano-
ther, & justi-
fie it too, are
the greatest dis-
joyners of the
House and Par-
liament, and
very unlikely to
make any firm
or reall settle-
ment of this
Nation.

and so the good Old Laws of England (the Guardians of our Laws and Fortunes) established with prudence, and confirmed by the experience of many Ages and Generations: (The Preservation whereof, was a * principall ground of our late quarrell with the King) having been once abolished, what could we have expected afterwards, but an inthroning of Arbitrary power in the Seat of Judicature, and an exposing of our Lives, our Estates, our Liberties, and all that is dear unto us, as a Sacrifice to the boundlesse appetite of meer Will and Power, &c.

Things being at this passe, and the House (through these proceedings) * perfectly disjointed, it was in vain to look for a settlement of this Nation from them, thus constituted: but on the contrary, nothing else could be expected; But that the Common-wealth should sink under their hands, and the great cause hitherto so happily upheld and maintained, to be forever lost, through their preposterous management of these affairs, wherewith they had been intrusted. Whereupon they justify their dissolution, and turning them forcibly out of doores by the Souldiers, with shame and infamy; to prevent that destruction, which thereby was coming on THE WHOLE LAND, by this New Powder Treason plot, set on foot by the Jesuites and Anabaptists, to destroy our Laws, Liberties, Properties, Ministers, and Religion it self, at one blow, and that in the very Parliament House, (where some destroyed and blowed up Kings, Peers and Parliaments themselves, as well as Lawes and Parliament Priviledges of late years) where they had been constantly defended, vindicated, preserved, established in all former Ages, by ALL TRUE ENGLISH PARLIAMENTS.

* See my Speech
in Parliament,
p. 100. to 108.

The second is, * The Votes of the House of Commons, concerning a Paper presented to them, entituled, An Agreement of the people for a firm & present peace, upon grounds of Common Right, 9. November 1647, viz.

Resolved

Resolved upon the Question, That the matters contained in these Papers, are destructive to the being of Parliaments, and to the fundamental Government of this Kingdom.

Resolved, &c. That a Letter be sent to the General, and those Papers inclosed, together with the Vote of this House upon them; And that he be desired to examine the proceedings of this business in the Army (where it was first coyned) and return an Account hereof to this House.

These Votes were seconded soon after with these ensuing Votes, entred in the *Commons Journal*, and printed by their special Order, 23 Novemb. 1647.

A *Petition* directed to the Supream Authority of England, The *Commons in Parliament assembled, The humble Petition of many Free-born people of Eng and, &c.* was read the first and second time.

Resolved upon the Question, That this Petition is, A seditious and contemptuous avowing, and prosecution of a former Petition, and Paper annexed, stiled, An agreement of the People, formerly adjudged by this House, to be destructive to the being of Parliaments, and Fundamental Government of the Kingdom.

Resolved, &c. That Thomas Prince Cheese-monger, and Samuel Chidley, bee forthwith committed Prisoners to the Prison of the Gate-house, there to remain Prisoners during the pleasure of this House, for a Seditious avowing, and prosecution of a former Petition and Paper annexed, stiled, An Agreement of the people; formerly adjudged by this House, to be destructive to the being of Parliaments, and fundamental Government of the Kingdom.

Resolved, &c. That Jeremy Ives, Thomas Taylor, and William Larnar, bee forth-with committed to the Prison of Newgate, there to remain Prisoners during the pleasure of this House, for a seditious and contemptuous avowing, and prosecution of a former Petition and Paper annexed, stiled, An Agreement of the People; formerly adjudged by this House, to be destructive to the being of Parliaments, and fundamental Government of the Kingdom.

Resolved, &c. That a Letter be prepared and sent to the

General; taking notice of his proceeding in the execution (according to the Rules of Warre) of a *Mutinous* person (avowing, and prosecuting this Agreement in the Army contrary to these Votes) at the Rendezvous near Ware, and to give him thanks for it; and to desire him to prosecute that *Business* to the bottome, and to bring such guilty persons as he shall think fit, to condign and exemplary punishment.

Resolved, &c. That the Votes upon the Petition and Agreement annexed, and likewise the Votes upon this Petition, be forth-with printed and published.

After which, by a special Ordinance of both Houses of Parliament, 17 Decemb. 1647. no person whatsoever, who had contrived, plotted, prosecuted, or entred into that Engagement, intituled, The Agreement of the people, declared To bee destructive to the being of Parliaments, and Fundamental Government of the Kingdom; for one whole year was to be elected, chosen, or put into the Office, or place of Lord Mayor, or Alderman, Sheriff, Deputy of a Ward, or Common Counselman of the City of London, or to have a voyce in the Election of any such Officers.

All these particulars, with the Capital proceedings against White, and others who fomented this Agreement in the Army, abundantly evidence the verity of my foresaid Proposition; and the extraordinary guilt of those Members and Souldiers, who contrary to their own Votes, Ordinances, Proceedings, and Censures of others, have since prosecuted this, the like, or far worse Agreement, to the destruction of our ancient Parliaments, and their Priviledges, and of the fundamental Government, Laws, and Liberty of our Nation: which I wish they would now sadly lay to heart, with that saying of Augustine, approved by all sorts of Divines, and (a) Casuists; *Non remittitur peccatum, nisi restituatur ablatum, & sciendum est, Quod Restitutio est IN PRISTINUM STATUM POSITIO.*

(a) See Gratian, Caus. 2.
Qu. 1. 2.
Summa Angelica, Rosella, &
Hostiensis. Tit.
Restitutio.

The third, is the memorable Statutes of 3 Jacobi, c. 1, 2, 4. & 5. which relating the old Gunpowder Treason of the Jesuits and Papists, and their infernal, inhuman, barbarous, detestable plot, to blow up the King, Queen, Prince, Lords, Commons, and the whole House of Peers with Gunpowder, when they

they should have been assembled in Parliament, in the upper House of Parliament, upon the fifth of November, in the year of our Lord, 1605. do aggravate the hainousness and transcendency thereof, by this circumstance, That it was (as some of the principal Conspirators confessed) purposely devised, and concluded to be done in the said House, That where sundry necessary and religious Laws, for preservation of the Church and State, were made, (which they falsely and slanderously termed, *Cruel Laws enacted against them, and their Religion*) both Place and Persons should be all destroyed and blown up at once; and by these dangerous Consequences, if it had not been miraculously prevented, but taken effect; That it would have turned to the utter ruine, overthrow, and subversion of the whole State and Common-wealth of this flourishing and renowned Kingdom, of Gods true Religion therein established by Law, and of our Laws and Government. For which horrid Treason, they were all attainted, and then executed as Traytors, and some of their Heads, Quarters, set upon the Parliament House for terrour of others. Even so let all other Traytors, Conspirators against, all Blowers up, and subverters of our fundamental Laws, Liberties, Government, Kings, Parliaments, and Religion, treading presumptuously in their Jesuitical footsteps, perish, O Lord,* but let all them who cordially love, and strenuously maintain them against all Conspirators, Traytors, Underminers, Invaders whatsoever, be as the Sun when he goeth forth in his might; That the Land may have rest, peace, settlement again, for as many years at least, as it had before our late Innovations, Warres, Confusions, by their restitution and re-establishment.

* See Speeds Hist. p. 1250. &c Mr. Vicers History of the Gunpowder-Treason, The Arraignment of Traytors. * Judg. 5. 28

C H A P. 2.

HAVING thus sufficiently proved, That the Kingdom, and Freemen of England, have some antient Hereditary Rights, Liberties, Franchises, Privileges, Customs, properly called FUNDAMENTAL, as likewise a Fundamental Government, no ways to be altered, undermined, subverted, directly or indirectly, under the guilt and pain of High Treason, in

those who attempt it, especially by fraud, force, or armed Power.

I shall in the second place present you in brief Propositions, a Summary of the chiefest and most considerable of them, which our prudent Ancestors in former Ages, and our latest real Parliaments, have both declared to be, and eagerly contested for, as *fundamental*, and essential to their very *being*, and *well being*, as a *Free People, Kingdom, Republick*, unwilling to be enslaved under any *Tokes* of Tyranny, or Arbitrary Power: that so the whole Nation may the more perspicuously know and discern them, the more strenuously contend for them, the more vigilantly watch against their violations, underminings in any kinde, by any Powers or pretences whatsoever, and transmit, perpetuate them intirely to their Posterities, as their best and chiefest inheritance.

I shall comprise the *sum* and substance of them all in these *Ten Propositions*, beginning with the Subjects Property, which hath been most frequently, universally invaded, assaulted, undermined by our Kings, and their evil Instruments heretofore, and others since, and thereupon more strenuously, frequently, vigilantly maintained, fenced, regained, retained by our Nobles, Parliaments, and the people in all Ages (till of late years) than any or all of the rest put together, though every of them hath been constantly defended, maintained, when impugned, or incroached upon, by our Ancestors, and our selves.

* See the Laws of King Edward the Confessor, confirmed by William the Conquerour, *Lxx.* 55, 56, 57. The great Charters of King John, and Henry 3. c. 29,

I That * no Tax, Tallage, Aid, Subsidy, Custom, Contribution, Loan, Imposition, Excise, or other Assessment whatsoever, for defence of the Realm by Land or Sea, or any other publick, ordinary, or extraordinary occasion, may or ought be imposed, or levied upon all or any of the Freemen of *England*, by reason of any pretended or real Danger, Necessity, or other pretext, by the Kings of *England*, or any other Powers, but only with and by their common consent and grant, in a free and

30. 25 E. 1. c. 5, 6. 34 E. 1. De Tallagio. c. 1, 14 E. 3. Stat. 1. c. 21. Stat. 2. c. 1. 35 E. 3. Stat. 2. c. 1, 15 E. 3. Stat. 3. c. 5: 21 E. 7. Rot. Parl. N. 16, 25 E. 3. Rot. Parl. N. 16, 27 E. 3. Stat. 2. c. 2. 36 E. 3. Rot. Parl. N. 26, 38 E. 3. c. 2. 45 E. 3. Rot. Parl. N. 42. 11 H. 4. Rot. Parl. N. 50. 1 R. 3. c. 2. The Petition of Right, 3 *caroli*, the Act against Ship-money, Knighthood, Tonnage, and Poundage, 16. & 17. *caroli*.

lawful

lawful *English* Parliament duly summoned and elected; except only such antient, legal Ayds, as they are specially obliged to render by their Tenures, Charters, Contracts, and the common Law of *England*.

2 That * no Free-man of *England* ought to bee arrested, confined, imprisoned, or in any private Castles, or remote unusual Prisons, under Souldiers, or other Guardians, but only in usual or Common Gaols, under sworn responsible Goalers, in the County where he lives, or is apprehended, and where his friends may freely visit and relevee him with necessaries; And that only for some just and legal Cause express'd in the Writ, Warrant, or Process, by which he is arrested or imprisoned; which ought to be legally executed, by known, legal, responsible sworn Officers of Justice, not unknown Military Officers, Troopers, or other illegal Catchpols; That no such Free-man ought to bee denied Bail, Mainprise, or the benefit of an *Habeas Corpus*, or any other Legal Writ for his enlargement, when Bailable or Mainprizable by Law; nor to be detained Prisoner for any real or pretended Crime, not bailable by Law longer than until the * next general or special Gaol-delivery, held in the County where he is imprisoned; when and where he ought to be legally tried and proceeded against, or else enlarged by the Justices, without denial or delay of Right and Justice. And that no such Free-man may, or ought to be out-lawed, exiled, condemned to any kinde of Corporal punishment, loss of Life or Member, or otherwise destroyed or passed upon, but only by due and lawful Process, Indictment, and the lawful Trial, Verdict, and Judgement of his Peers, according to the good old Law of the Land, in some usual Court of publick Justice; not by and in new illegal Military, or other Arbitrary Judicatories, Committees, or Courts of High Justice, unknown to our Ancestors.

3 That the ordinary * standing *Militia, Force, and Arms of the Kingdom*, ought to reside in the *Nobility, Gentry, Freeholders, and Trained Bands of the Kingdom*, not in Mercenary Officers and Souldiers, receiving pay, and Contributions from the people; more apt to oppress, inflave, betray, than protect their Laws, Liberties, and to protract than end their Warres and Taxes. That no Free-men of *England*, unless it bee by

* See *Magna Charta*, c. 29. & *Cooks* Institutes on it, 5 E. 3. c. 9
15 E. 3. c. 1, 2
25 E. 3. c. 4
28 E. 3. c. 3
37 E. 3. c. 18
42 E. 3. c. 3
2 R. 2. c. 2 4
5 H. 4. c. 10
19 H. 7. c. 10
23 H. 8. c. 8
The Petition of Right, 3 *Caroli*, and other Acts in ch. 3. 2 H. 4. Rot. Parl. N. 60. & 69.
* 4 E. 3. c. 2
17 R. 2. c. 10

* See the Laws of *Edward the Confessor*, and *William the Conqueror*, *Lex*. 35. 55, 56, 58. *Ralph's* Ambigement. *Tir Amour*, 35 E. 3. c. 8. Rot. Parl. N. 23 The Statutes for impressing Souldiers, 16 & 17. *Caroli*.

1 E. 3. Stat. 2. special Grant and Act of Parliament, may or ought to be compelled, enforced, pressed, or arrayed to go forth of his own County (much less out of the Realm into foreign parts) against his will, in times of Warre or Peace; or except he be specially obliged thereto by antient Tenures and Charters, save only upon the sudden coming of strange enemies into the Realm; and then he is to array himself only in such sort, as he is bound to do by the ancient Laws and Customs of the Kingdom still in force.

(a) See *Magna Char.* c. 29. 5 E. 3. c. 9. 15 E. 3. c. 1. 21 E. 3. Rot. Parl. N. 28. 15 E. 3. N. 35. 36. 37. 25 E. 3. c. 4 Rot. Parl. N. 16. 28 E. 3. c. 3. 37 E. 3. c. 18. 42. E. 3. c. 13. 2 R. 2. Parl. 2. c. 2. 7 R. 3. c. 4. 2 H. 4. Rot. Parl. N. 60. 69. 15 H. 6. c. 4. The Petition of Right, 3 Car. and the Statutes against Ship-money, Knighthood, Tonnage and Poundage, 16. 8. 17 *Caroli.*

4 That no (a) Free-man of *England* may, or ought to be disinherited, disseised, dispossessed, or deprived of any Inheritance, Free-hold, Office, Liberty Custom, Franchise, Chattles, Goods, whatsoever, without his own Gift, Grant, or free Consent, unless it be by lawful Proceffe, Trial, and Judgement of his Peers, or special Grant by Act of Parliament; nor to be denied or delayed common Right or Justice in any case.

5 That the old received Government, Laws, Statutes, Customs, Priviledges, Courts of Justice, legal Proceffe of the Kingdom, and Crown, ought not to be altered, repealed, suppressed in any sort; nor any new form of Government, Law, Statute, Ordinance, Court of Judicature, Writs, or legal proceedings, instituted, or imposed on all, or any of the Free-men of *England*, by any person or persons, but only in and by the (b) *Kingdoms*, peoples free and full precedent consent in a lawful Parliament, wherein the Legislative power solely resides.

6 That Parliaments ought to be duly summoned, and held, for the good and safety of the Kingdom, every year, or every three years at least, or so soon as there is just occasion. That the Election of all Knights, Citizens, and Burgessees, to sit and serve in Parliament (and so of all other Elective Officers) ought to be free. That (c) all Members of Parliament Hereditary or Elective, ought to be present, and there freely to speak and vote

15. c. 12. 1. 2 Sam. 5. 1, 2, 3. c. 16. 18. 1 King. 12. 3. to 21. c. 16. 16. c. 20. 7, 8. 2 King. 11. 1. to 21. c. 21. 24. c. 23. 30. (c) King *Johns* Magna Charta, *Math. Paris*, p. 247. 5 R. 2. c. 4. *Coopers* 4. Instit. c. 1. My Plea for the Lords, My *Ardua Regni*, The Levellers levelled, and Epistle before my Speech in Parliament. 4 E. 3. c. 14. 36 E. 3. c. 10. 50 E. 3. N. 151. 1 R. 2. N. 95. 2 R. 2. N. 4, 5.

according

according to their Judgements and Consciences, without any over-awing Guards to terrifie them; and none to be forced, sequestered, or secluded thence by force or fraud. That all Parliaments nor thus duly and freely summoned, elected, freely held, but unduly packed, without due Elections, or by forcible secluding, securing any of the Members, or not summoning all of them to the Parliament, and all Acts of Parliament fraudulently, or forcibly procured by indirect means (d), ought to be nulled, repealed, reputed voyd, and of dangerous president.

7 That neither the * *Kings*, nor any Subjects of the Kingdom of *England*, may or ought to be summoned before any Forreign Powers or Jurisdictions whatsoever out of the Realm, or within the same, for any manner of Right, Inheritance, Thing belonging to them, or Offence done by them within the Realm, nor tried, nor judged by them.

8 That all Subjects of the Realm are (e) obliged by Allegiance, Oaths, and duty to defend their lawful Kings Persons, Crowns, the Laws, Rights, and Priviledges of the Realm, and of Parliament, against all Usurpers, Traytors, Violence, and Conspiracies. And that no Subject of this Realm, who according to his Duty, and Allegiance, shall serve his King in his Warres, for the just defence of him and the Land; against Forreign Enemies or Rebels, shall lose or forfeit any thing for doing his true duty, service, and allegiance to him therein; but utterly be discharged of all vexation, trouble, or losse.

meum, p. 191. 11 H. 7. c. 1. 18, 19, H. 7. c. 1. 25 H. 8. c. 22. 26 H. 8. c. 3. 28 H. 8. c. 7. 1 Eliz. c. 1. 3. 5. 5 Eliz. 2. c. 1. 1 Jac. c. 1. 2. 3. Jac. c. 1. 2. 4. 5. 7 Jac. c. 6. The Protestation, League and Covenant, and the ancient Oathes of Fealty, Homage, Mayors, Sheriffs, Free-men.

9 That no publick Warre by Land or Sea ought to be made or leavied, with, or against any Forreign Nation: nor any publick Truce or League entred into with Forreign Realms or States, to binde the Nation, without their common advice and consent in Parliament.

10 That the Kings of *England*, or others, cannot grant away, alien, or subject the Crown, Kingdom, or ancient Crown Lands of *England* to any other, without their Nobles and Kingdoms full and free

(d) See 39 H. 6. c. 1. 17. E. 4. c. 7. 1 H. 4. N. 21, 22. 48. 1 H. 4. c. 3. * See *Rassals* Abridgement of Statutes, Title, *Provisions* *Premunire*, & *Rome*. (e) *Leges Edwardi Regis*, c. 35, *Lambards Arch.* F. 135, 136. *Cooks 7. Report*, *Calvins Case*, f. 6, 7. *Leges Willielmi Regis* Lex. 58, 59. *Seldens Nota ad Ead-*

free consent in Parliament. That the antient Honours, Manors, Lands, Rents, Revenues, Inheritances, Rights, and Perquisites of the Crown of *England*, originally selded thereon for the ease and exemption of the people from all kind of Taxes, payments whatsoever (unless in case of extraordinary necessity) and for defraying all the constant, ordinary expences of the Kingdome (as the expences of the Kings houthold, Court, Officers, Judges, Ambassadors, Guard, Garrisons, Navy and the like) ought not to be sold, alienated, given away or granted from it, to the prejudice of the Crown, and burdenning of the people. And that all Sales, Alienations, Gifts, or Grants thereof, to the empairing of the publique Revenue, or prejudice of the Crown and people, are void in Law, and ought to be resumed, and repealed by our Parliaments and Kings, as they have * frequently been in all former ages.

* Daniels History. p. 78 79.
80. 123. 10. 12 n.
2. r. 8. H 5. r. 9
1. 6. n. 53. 31
H. 6. r. 7 1 R. 2.
n. 148. 1 H. 4 n.
100. 6 H. 4. n. 43
158. H. 4 n. 12.
33 H. 6 n. 47.
4 G n. 39. 12
E. 4. n. 6.

For the Readers fuller satisfaction in each of these propositions (some of which I must in the ensuing Chapter but briefly touch for brevity sake, having elsewhere fully debated them in print,) I shall especially recommend unto him the perusall of such Tractates, and Arguments formerly published, wherein each of them hath been fully discussed, which hee may peruse at his best leaseure.

The First of these Fundamentalls, (which I intend principally to insist on) is fully asserted, debated, confirmed by 13. H. 4. f. 14. By *Fortescue* Lord Chief Justice, and Chancellor of *England*, de *Laudibus Legum Anglie*, dedicated by him to King *Henry* the 6. f. 25. c. 36. By a *Learned and necessary Argument against Impositions in the Parliament of 7. Jacobi*: by a late reverend Judge, Printed at *London* 1641. By *Mr. William Hakewell*, in his Liberty of the Subject against Impositions, maintained in an Argument in the Parliament of 7 *Jacobi*. Printed at *London* 1641. By Judge *Crooks* and Judge *Huttons*. Arguments concerning *Ship-mony*, both Printed at *London* 1641. By the *Case of Ship-mony* briefly discussed. *London* 1640. By *M. Sr. Johns* Argument and Speech against *Ship-mony*, Printed at *London* 1641. By *Sir Edward Cook* in his 2 *Institutes* p. 46. and 57. to 64. and 528. to 537. By the first and second *Remonstrance of the Lords & Commons in Parliament* against

against the Commission of Array. Exact Collection p. 386. to 398. and 850. to 890. and by my own Humble Remonstrance against Ship-mony, London 1643. The Fourth part of the Sovereign Power of Parliaments and Kingdomes, p. 14. to 26. my Legall Vindication of the Liberties of England, against Illegal Taxes &c. London 1649. and by the Records and Statutes cited in the ensuing Chapter, referring for the most part to the first Proposition.

The second, third, and fourth of them, are largely debated and confirmed by a Conference desired by the Lords, and had by a Committee of both Houses, concerning the Rights and Priviledges of the Subject, 3 Aprilis 4 Caroli, Printed at London 1642. By Sir Edward Cook in his Institutes on Magna charta, c. 29. p. 45. to 57. By the first & second Remonstrance of the Lords and Commons against the Commission of Array, Exact Collection p. 386. and 850. to 890. By Judge Crooks, and Judge Huttons Arguments against Ship-mony: By Sir Robert Cotton his Posthuma p. 222. to 269. By my Breviate of the Prelates Encroachments on the Kings Prerogative, and the Subjects Liberties, p. 138. my New Discovery of the Prelates Tyranny, p. 137. to 183. and some of the ensuing Statutes, and records, ch. 3. Sec 1 H. 4. rot. Parl. n. 22, 23, 24, 26, 28, 43, 44 47.

The Fifth and Sixth of them, are fully cleared, vindicated in and by the Prologues of all our Councils, Statutes, Laws, before and since the Conquest. By 1. H. 4. Rot. Parl. n. 33, 34, 36. (an excellent full president.) Sir Edward Cooks 4 Institutes, ch. 1. Mr. Cromptons Jurisdiction of Courts, Title High Court of Parliament. Mr. St. Johns speech against the Ship-mony Judges, p. 32, 33. my Plea for the Lords; my Levellers levelled; my Ardua Regni; my Epistle before my Speech in Parliament; my Memento, my Sovereign Power of Parliaments and Kingdomes, part. 1, 2, 3, 4. my Legal Vindication against illegal Taxes, and pretended Acts of Parliament, London 1649. Prynn the Member, reconciled to Prynn the Barrester, Printed the same year. My Historical Collection of the Ancient great Councils and Parliaments of England, London 1649. My Truth triumphing over Falshood, Antiquity

over *Novely*, London 1645. 3 E. 1. c. 5. 4 E. 3. c. 14. 36 E. 3. c. 10. 1 H. 4. c. 3. 4. 5 R. 2. Stat. 2. c. 4. *Rastal tit. Parliament.* 1 H. 4. Rot. Parl. n. 21. 22. 48. 70. 31 H. 6. c. 1. 39 H. 6. c. 1. Rot. Parl. n. 8. 17 E. 4. c. 7. expresse in point, and some of the Records hereafter transcribed. In this I shall be more sparing, because so fully confirmed in these and other Treatises.

The *Seventh*, is ratified by Sir Edward Cooks 1. *Institutes* p. 97 98. 4 *Institutes* p. 89. and 5. report *Cawdries* case, of the Kings *Ecclesiasticall Laws*, *Rastals* Abridgement of Statutes, *Tit. Provisors*, *Premunire*, *Rome*, and other Records and Statutes in the ensuing Chapter.

The *Eight*, is verified by the Statutes quoted in the Margin to it, and by other Records in the third Chapter.

The *Ninth* and *Tenth*, are fully debated in my *Sovereign Power of Parliaments and Kingdoms*, par. 2. p. 3. to 34. part. 4. p. 1. to 13. and 162. to 170. touched in Sir Robert Cottons *Posthuma*, p. 174. 179. confirmed by *sundry Presidents* in the next Chapter. & by 1 H. 4. Rot. Parl. n. 32.

How all and every of these Fundamentall Liberties, Rights, Franchises, Laws, have been unparalledly violated, subverted, in all and every particular, of late years, beyond all Presidents in the worst of former ages, even by their greatest pretended *Pro-pugners*, their own Printed *Edicts*, *Instruments*, *Ordinances*, *Papers*, together with their illegall *Oppressions*, *Taxes*, *Excises*, *Imposts*, *Sequestrations*, *Rapines*, *Violences*, unjust *Proceedings* of all kinds, will sufficiently evidence, if compared with the premised *Propositions*. Not to insist on any fore-past illegall *Imposts*, *Taxes*, *Excises*, under which the nation lately groaned, imposed on us by *unparliamentary Junctoes*, or the *Army Officers* alone from Anno 1648 to 1653. without any real Parliament, by their own *armed Jurisdiction*. I shall here instance onyl in 3. or 4. particulars, relating wholly to the *First Proposition*, being of most generall, greatest present and future concernment of all other to the whole *English Nation*, at this very instant most intollerably oppressed, grieved by them; directly sweeping away all their *Fundamentall Right of Property*, and consequentially all their *Liberty of person*, *Laws*, *Charters*, at once, and that in perpetuity, beyond all hopes of *Future redemption*, if not timely

timely prevented by the *Universality, Body of the Realm, or their Trustees.*

The first of them is, the present imposition, and continuance of the strange, oppressive, monstrous, general high *Tax of EXCISE*, imposed on most native and foreign Commodities throughout *England*, and its *Dominions*; which as it was a *meer Stranger to all our Ancestors*, and those now living, till within these few years; so it was no sooner projected by some evil *Malignant Jesuited Counsellors* about the late *King*, but it was (a) presently condemned, and crushed in the very shell, when first intended to be set on foot in *England* by *King Charles*, (with the advise and consent of his privie Council at *White-Hall*) by a *Commission* under the *Great Seal of England*, dated the last of *February*, 3 *Caroli*, issued to thirty three *Lords of his Majesties Privie Council and others*: which authorized, commanded them to raise monies BY IMPOSITIONS OR OTHERWISE, as they in their wisdoms should finde most convenient; and that only for these publike uses, THE DEFENCE OF THE KING, KINGDOM, PEOPLE, and of the Kings Friends and Allies beyond the Seas, then in such imminent danger, that WITHOUT EXTREAMEST HAZARD OF THE KING, KINGDOM, PEOPLE, KINGS Friends and Allies, it could admit of no longer delay. In which INEVITABLE NECESSITY, form and circumstance must rather be dispenced with than the substance lost. The Commissioners being thereupon specially injoyed, to be diligent in the Service, and not fail therein, as they tender his Majesties Honour, and THE SAFETY OF THE KING and PEOPLE. This Commission was no sooner discovered, but it was presently complained of by the whole Commons House, in the Parliament, of 3 *Caroli*, and upon Conference with the Lords it was immediately Voted, adjudged by both Houses, without one dissenting voyce, TO BEE (EX DIAMETHRO) AGAINST LAW, and CONTRARY TO THE PETITION OF RIGHT; after which, it was cancelled as such in the Kings own presence, by his consent, order, and then sent cancelled to both Houses, for their satisfaction, before ever it was put in execution, and all

(a) See my Declaration and Protestation against the illegal, detestable, oft-condemned new Tax, and Extortion of Excise, 1654. Exact collection, p. 885. Mr. St. Johns Speech concerning Ship-money, p. 15, 16.

Warrants for, and memorials of it cancelled, damned, destroyed; the Commons further urging, That the Projector thereof might be found out by strict inquiry, and **EXEMPLARILY PUNISHED** (as the Parliament Journal attests) notwithstanding all the specious pretences, of inevitable necessity, imminent danger, and the defence, safety of the whole Kingdom, People, King, and his forreign Protestant Friends and Allies (then in greater real danger, than any now appearing) This Original Parliamentary Doom, Judgement against that New Monster of Excise, was ratified, approved, pressed by both Houses of Parliament, in the Cases of Ship-money, and the Commission of Array, as you may read at large in Mr. Oliver St. Johns Speech and Declaration, delivered at a Conference of both Houses concerning Ship-money, 14 January, 1640. (printed by the Commons Order) p. 13. to 20. and, The Lords and Commons second Declaration against the Commission of Array. Exact collection, p. 884, 885. from which they then drew this positive conclusion (fit to be now considered by our New Governours, and the whole Nation) * **THAT TO DEFEND THE KINGDOM IN TIME OF IMMINENT DANGER, IS NO SUFFICIENT CAUSE** (for the King and his Council, much less then for those who condemned, suppressed them for Tyrants, and Oppressors of the People) **TO LAY ANY TAX OR CHARGE UPON THE SUBJECTS WITHOUT THEIR CONSENT IN PARLIAMENT.** Yea the whole House of Commons was so zealous against this Dutch Devil of Excise, that in their Remonstrance of the state of the Kingdom, 15 Decemb, 1641. Exact Collection, p. 3 4, 6. they expressly brand, censure, the first Attempts to introduce it, for **A MALIGNANT and PERNICIOUS DESIGN, TO SUBVERT THE FUNDAMENTAL LAWS and PRINCIPLES OF GOVERNMENT, upon which the JUSTICE OF THIS KINGDOM WAS FORMERLY ESTABLISHED;** as proceeding from **JESUITED COVNSELS, BEING MOST ACTIVE and PREVAILING;** yea, for **AN UNJUST and PERNICIOUS ATTEMPT, TO EXIORT GREAT PAYMENTS FROM THE SUBJECTS.** which was to be

* Exact Collection, p. 886.

Nota.

Nota.

accords,

accompanied (as now it is) with Billited Souldiers in all parts of the Kingdom, and the concomitant of German (as now of English, HORSE, That the * LAND MIGHT E- * And is not this its present sad slavish condition? Nota.

ITHER SUBJECT WITH FEAR, or BE ENFORCED WITH RIGOUR TO SUCH ARBITRARY CONTRIBUTIONS AS SHOULD BE REQUIRED OF THEM. And when some rumours were first spread abroad, that the COMMONS HOUSE INTENDED TO LAY EXCISE UPON PEWTER AND OTHER COMMODITIES; they were so sensible of the injustice and odiousness thereof, that they thereupon published a special Declaration, printed 8 Octob. 1642. Exact Collection, p. 638. wherein they not only disclaim, renounce any such intention, but branded those Reports and Rumours, for FALSE and SCANDALOUS ASPERSIONS, raised and cast upon the House BY MALIGNANT and ILL-AFFECTED PERSONS, TENDING MUCH TO THE DISSERVICE OF THE PARLIAMENT: and Ordered, That the AVTHORS OF THEM should be inquired after, apprehended, and brought to the House TO RECEIVE CONDIGNE PUNISHMENT. After which this Excise being notwithstanding this Disclaimer, and much publick, private opposition against it, set on foot by some swaying Members (upon a pretence of necessity for support of the Army) to the great Oppression, and Discontent of the People; The Generall and general Council of Officers and Souldiers of THE ARMY themselves, were so sensible of this illegal oft-condemned New grievance, that in the Heads of their Proposals, and particulars of their Desires, in order to the clearing and securing of the Rights and Liberties of the Kingdom, tendered to the Commissioners of Parliament residing with the Army, the first of August, 1647. (printed in their Book of Declarations, p. 118, &c. published by their own, and the Lords House special Order) they made this one principall Desire to the Parliament; That the EXCISE may be taken off from such Commodities, whereof the poor of the Land do ordinarily * live, and A CERTAIN TIME TO BE LIMITED FOR TAKING OFF THE WHOLE. Yet notwithstanding all these Judgements, and Ext.

* Do they not so on Beer, Salt, and other Manufactures, for which they now pay Excise?

cries against it; some of those very persons who thus publicly branded it, both in the *Parliament House* and *Army*; by irregular paper *Ordinances* (as they intitle them) dated 24 December, 1653. March 17. 1653. and May 4. 1654. have by their own *Self-derived* supertranscendent *Authority*, without, yea against the Peoples consents, or any Authority from *Parliament*, imposed, continued *Excise upon our own Inland; and Forreign Commodities*, in very high proportions, from the twenty fourth of March 1654. till the twenty fourth of March 1655. And (which is most observable) prescribed it to be levied, by putting the Parties to an (*EX OFFICIO*) OATH against themselves; by *Fines, Forfeitures, SEQUESTRATIONS, and SALES OF THE REFUSERS, OPPOSERS, PERSONAL and REAL ESTATES, DISSTRESSES, BREAKING UP OF THE PARTIES HOUSES, SEISURES OF THEIR GOODS, IMPRISONMENT OF THE PERSONS OF ALL SUCH WHO SHALL HINDER OR OPPOSE THE MINISTERS, OR OFFICERS IMPLYED IN LEVYING, or distraining for the same, BY LOCKING UP THE DOORS, or OTHERWISE.* And by these their unparalleled *Edicts* they further order, That the Officers of *Excise, BOTH DAY AND NIGHT*, shall be permitted free entrance into *ALL ROOMES and PLACES WHATSOEVER THEY SHALL DEMAND*, in *Brewers, Soap-boylers, and others Houses*, under pain of forfeiture of fifty pounds for every refusal (by colour whereof all mens Houses may be robbed, plundered, and their throats cut by Theeves and Robbers, pretending themselves *Excise-men, Souldiers*, authorised to make such Searches, as many of late have been.) And they with all their assistants shall be kept indemnified in *ALL CAUSES RELATING TO THE EXCISE*, from time to time, against all *Sutes or Actions brought, or other molestations, against them by the Parties grieved; who are* * usually *Fined, Imprisoned, enforced to pay Costs of Sute, only for suing for relief*) yea (which I cannot think of without horreur and amazement) *ALL*

COURTS

* Witness Mr. Cony amongst others.

COURTS OF JUSTICE OF THIS COMMON-WEALTH, and ALL JUDGES and JUSTICES OF THE SAME, SHERIFS, COVNSELLORS, ATTURNIES, SOLICITORS, and ALL OTHER PERSONS, are thereby expressly required, to conform themselves accordingly, (in all things) WITHOUT ANY OPPOSITION OR DISPUTE WHATSOEVER; as the precise words of their Ordinance of 17 March, 1653. proclaim to all the Nation. Which declares further, *That IT IS NECESSARY to provide A CONTINUAL SUPPLY for the carrying on the weighty Affairs of this Common-wealth OUT OF THIS REVENUE OF EXCISE.* And do not these Clauses, (compared with the 27. & 29. Articles of their Instrument,) clearly discover, a fixed Resolution in these new Legislators, to continue, and perpetuate upon the whole Nation, this importable Grievance of *Excise, from year to year, without intermission or end, to be levied by the means aforesaid?* to hinder all and every the *Freemen of England*, from endeavouring to free or exempt themselves, or their Posterities from it hereafter, by any *Sute, Action, Habeas Corpus, or other legal remedy in any Court of Justice whatsoever?* yea peremptorily, positively to prohibit, enjoin all Courts of Justice, Judges, Justices, Sheriffs, Counsellours, Attornies, Solicitors, with all other persons of this Common-wealth, both for the present and future Ages, to give them the least legal assistance, advice, or relief against the same, or against any Officers, or Assistants which shall forcibly leave it by distresses, Fines, Imprisonments, Confiscation of Goods, Sequestrations, Sales of their personal or real Estates, or otherwise?

I appeal then (in the behalf of all the Freeborn People of England) the Souls and Consciences of these new Ordinance-makers, with all the Executioners of them in any kinde, before all the Tribunals of Heaven and Earth, whether they have not by these their Dismal Ordinances, more desperately, inrecoverably, totally, finally (as much as in them lies) undermined, subverted; and quite blown up at once, all the Foundations of our hereditary Fundamentall Properties, Liberties, Laws for eternity, and levelled them to the dust, then the worst of all

Nota.

our Kings or former Councill-tables ever did? Deprived the whole Nation, and every particular Free-man in it, of all future benefit of our Laws, Statutes and Courts of Justice, for their just relief against it his intolerable Oppression; and thereby reduced us to the condition of the most slavish, captivated, fettered Bond-slaves and conquered Vassals under heaven, without any visible means or hopes of future enfranchisement, under a pretext of fighting for, maintaining, protecting, enlarging our former properties and freedoms & to a more miserable, sordid, servile condition, than either we or our Ancestors sustained under the worst of al our Kings and their most pernicious Counsellors; who never in any age attempted, either to make or impose such Extravagant enslaving Ordinances or Excises, with such strange penalties, Forfeitures, Imprisonments, Sequestrations, sales & most unrighteous Monstrous Inhibitions of all legal suites, & means for their relief in Courts of Justice, as they have done: King Charles himself (though condemned, beheaded by them for the worst of Tyrants and Oppressors) permitting his Subjects free Liberty, to dispute the Legality of Fines for Knight-hood, Ship-money, Tonnage, Poundage, Loanes, Excise and other Impositions not ~~only~~ only in his Parliaments, (where they were fully debated without restraint, and Laws passed against them afterwards by his own Royall assent thereto) but likewise in all his other Courts, where they were first brought in question. Yet now in our New Free State, under these greatest pretended Patrons of our Laws and Liberties, all Courts, Judges, Justices, and other Officers must conform to these illegall Impositions, and their tyrannicall waies, of inforcement without any opposition or dispute whatsoever; and all Counsellors, Attornies, Solicitors and others, must neither argue, nor advise, nor act in any kinde against them. And is this the glorious old ancient English Liberty, Freedom, Property, Law, and free course of Justice, wee have spent so many millions of Treasure, so many years of publique Consultations, warres, Prayers, Fasts, Tears, and such Oceans of precious christian Protestant English blood, inviolably to maintain and perpetuate to posterity? If any Free-born English men whatsoever dare publicly averre it, let them do it at the perill of their infamy, execration in all future

See the Arguments concerning them in Mr. Hammonds and others cases.

future ages, yea of their own *heads and Souls*. If they cannot but now absolutely disavow it, let them with Shame and indignation disclaim, renounce such *illegal Ordinances, Excises*, as most detestable both to God and all *true-born English free men*.

The 2 is, The present continuing Impositions of *Customes Tonnage and Poundage upon Goods, Merchandizes imported and exported, without any grant thereof by Parliament*, by a new Printed Paper, entituled, an *Ordinance of March, 23 1653*. thus peremptorily imposing them without any *Prologue or Inducement* to satisfy the people either in *Equity or Justice*, much lesse in their *Legality* in respect of those who thus impose them for sundry years yet to come. *Be it ordained by his highness, the Lord Protector, with the advise and consent of the Councell, that one Act of Parliament* (though no * *Act at all by any* * See Cooks known Laws, Statutes, Law-books, Records, Customes or 4. Justi. c. 1. Constitutions of the Realm, but a meer Nullity) entituled, an *Act for the Continuance of the Customes, until the 26 of* Brooks Parliam. 4. 76 42. *March, 1653, and all clauses and powers therein contained* 107. and my Plea for the are, and ARE HEREBY CONTINUED, and SHALL and Lords. DO STAND IN FULL FORCE UNTILL THE 26 DAY OF MARCH in the year of our Lord 1658. &c. By which these New *Legislators*, by their own inherent Superlative Power, presume to impose this Tax upon the whole Nation, (without any grant in Parliament) for full 5 years space, not only contrary to the * *Presidents* in all former Kings reigns, who never claimed nor received it, but by speciall grant in Parliament; but likewise contrary to this memorable Remonstrance, made by the whole *House of Commons* in the Parliament of 3 *Caroli*, (never yet Printed to my knowledge.)

‘Most gracious Sovereign, your Majesties most loyall and dutifull Subjects, (the Commons in this present Parliament Assembled,) being in nothing more carefull than of the Honour and Prosperity, of your Majesty and the Kingdome,) which they know doth much depend upon that union and relation betwixt your Majesty and your people) do with much sorrow apprehend, that by reason of the incertainty of their continuance together, the unexpected interruptions which have been cast

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‘ upon

* See Cooks
4. Justi. c. 1.
and Rastal.
Taxes.

‘ upon them, and the shortness of time in which your Majesty
 ‘ hath determined to end this Session; they cannot bring to ma-
 ‘ turity and perfection divers businesses of weight, which they
 ‘ have taken into their consideration and resolution, as most im-
 ‘ portant for the common good.

‘ Amongst other things, they have taken into especial care
 ‘ the preparing of a *Bill for the granting to your Majesty such*
 ‘ *a Subsidy of Tonnage and Poundage, as might uphold your*
 ‘ *Profit and Revenue, in as ample manner as their just care*
 ‘ *and respect of Trade (wherein not only the prosperity, but*
 ‘ *even the life of the Kingdom doth consist)* would permit.
 ‘ But being a work which will require much time and prepara-
 ‘ tion, by Conference with your Majesties Officers, and with the
 ‘ Merchants, not only of London, but of other remote parts;
 ‘ they finde it not possible to bee accomplished at this time;
 ‘ wherefore considering it will be much more prejudicial to the
 ‘ Right of the Subject, if your Majesty should continue to re-
 ‘ ceive the same without Authority of Law, after the determi-
 ‘ nation of a Session, then if there had been a recess by Ad-
 ‘ journment only (in which case that intended Grant would have
 ‘ related to the first day of the Parliament) and assuring them-
 ‘ selves, That your Majesty is resolved to observe that your
 ‘ royal Answer, which you have made to the Petition of Right
 ‘ of both Houses of Parliament; yet doubting lest your Ma-
 ‘ jesty may be mis-informed concerning this particular case, as if
 ‘ you might continue to take those Subsidies of Tonnage and
 ‘ Poundage, and other Impositions of Merchants without
 ‘ breaking that Answer; they are forced, by that duty which
 ‘ they owe to your Majesty, and to those whom they represent,
 ‘ to declare, **THAT THERE OUGHT NOT ANY**
 ‘ **IMPOSITION TO BE LAID UPON THE GOODS**
 ‘ **OF MERCHANTS EXPORTED OR IMPORTED**
 ‘ **WITHOUT COMMON CONSENT BY ACT OF**
 ‘ **PARLIAMENT, WHICH IS THE RIGHT AND**
 ‘ **INHERITANCE OF YOUR SUBJECTS, FOUN-**
 ‘ **DED NOT ONLY UPON THE MOST ANTI-**
 ‘ **QUENT AND ORIGINAL CONSTITUTION OF**
 ‘ **THIS KINGDOM, BUT OFTEN CONFIRMED**
 ‘ **AND**

No. a.

Nota.

‘AND DECLARED IN DIVERS STAIVTE
‘LAWS? And for the better manifestation thereof, may it
‘please your Majesty to understand, That although your royal
‘Predecessors, the Kings of this Realm have often had such
‘Subsidies, and Impositions granted unto them upon divers
‘occasions, especially for the guarding of the Seas, and safe-
‘guard of Merchants, yet the Subjects have been ever care-
‘ful to use such Cautions and limitations in those Grants, as
‘might prevent any Claim to be made, that such Subsidies do
‘proceed from duty, and not from the free gift of the Sub-
‘ject, and that they have heretofore limited a time in such
‘Grants, and for the most part but short, as for a year, or two;
‘and if it were continued longer, they have sometimes directed
‘a certain space of resensation or intermission, that so the Right
‘of the Subject might be more evident. At other times it hath
‘been granted upon occasion of Warre for certain numbers of
‘years, with Proviso, that if the Warre were ended in the mean
‘time, then the grant should cease. And of course it hath been
‘sequestred into the hands of some Subjects to bee employed for
‘guarding of the Coasts; and it is acknowledged by the ordi-
‘nary Answers of your Majesties Predecessors, in their assents
‘to the Bills of Subsidy of Tonnage and Poundage, that it is of
‘the nature of other Subsidies, proceeding from the good will
‘of the Subject. Very few of your Predecessors had it for life,
‘until the reign of Henry 7. * who was so farre from conceiving
‘he had any right thereunto, that although he granted Commis-
‘sions for collecting certain Duties and Customs due by Law, yet
‘he made no Commission for receiving the Subsidy of Tunnage
‘and Poundage, until the same was granted to him in Par-
‘liament.

Nota.

* Though he
came in by the
Sword, as a
kind of Con-
querour.

Since his time, all the Kings and Queens of this Realm have
‘had the like Grants for life, by the free love and good will of
‘the Subject; and whensoever the people have been grieved
‘by laying any Impositions or other Charges upon their Goods
‘and Merchandizes without authority of Law, (which hath
‘been very seldome) yet upon complaint in Parliament they
‘have been forthwith relieved, saving in the time of your roy-
‘all Father, who having through ill counsel raised the Rates

Nota.

Nota.

‘ of Merchandizes to that height at which they now are, yet
 ‘ he was pleased so farre to yeeld to the complaint of his people,
 ‘ as to offer, that if the value of these Impositions which he had
 ‘ set, might be made good unto him, he would bind himself,
 ‘ and his Heirs by Act of Parliament, never to lay any other ;
 ‘ which offer the Commons at that time, in regard of the great
 ‘ burthen, did not think fit to yeeld unto.

‘ Nevertheless your loyal Commons in this Parliament, out of
 ‘ their especial zeal to your Service, and special regard of your
 ‘ pressing occasions, have taken into their considerations, so to
 ‘ frame a Grant of Subsidy of Tunnage and Poundage to your
 ‘ Majesty, that both you might have been better enabled for
 ‘ the defence of your Realm, and your Subjects by being secure
 ‘ from all undue Charges, be the more encouraged cheerfully to
 ‘ proceed in their course of Trade ; by the encrease whereof your
 ‘ Majesties profit, and likewise the strength of the Kingdom
 ‘ would be very much augmented. But not being now able to ac-
 ‘ complish this their desire, there is no * course left unto them
 ‘ without manifest breach of their Duty, both to your Majesty
 ‘ and their Country, save only to make this humble Declara-
 ‘ tion, THAT THE RECEIVING OF TONNAGE
 ‘ and POUNDAGE, and OTHER IMPOSITIONS NOT
 ‘ GRANTED BY PARLIAMENT, IS A BREACH OF

* And are not
 all the Com-
 mons Mer-
 chants, Free-
 men of Eng-
 land bound to
 use the same
 course, and
 make the same
 Declaration
 now ?

Nota.

* And can our
 p. esent Gran-
 dees take it in
 ill part if we
 refuse to pay
 them now, be-
 ing demand-
 d without War-
 rant of a Law,
 and the re-
 ceivers of them
 in a Premu-
 nure by ex-
 press Act of
 Parliamento
 16 Caroli, made
 since this Re-
 volution.

‘ THE FVNDAMENTAL LIBERTIES OF THIS
 ‘ KINGDOM, and CONTRARY TO YOUR MA-
 ‘ JESTIES ROYAL ANSWER TO THE SAID PE-
 ‘ TITION OF RIGHT ; And therefore they do most hum-
 ‘ bly beseech your Majesty to forbear any further receiving of
 ‘ this same, * and not to take it in ill part from those of your
 ‘ Majesties loving Subjects, WHO SHALL REFVSE TO
 ‘ MAKE PAIMENT OF ANY SVCH CHARGES
 ‘ WITHOVV WARRANT OF LAW DEMANDED.
 ‘ And as by this forbearance, your most excellent Majesty shall
 ‘ manifest unto the World your ROYAL JUSTICE IN
 ‘ THE OBSERVATION OF YOUR LAWS ; so they
 ‘ doubt not hereafter, at the time appointed for their coming to
 ‘ gain, they shall have occasion to express their great desire to ad-
 ‘ vance your Majesties HONOUR and PROFIT,

The

The King dissolving this Parliament on a sudden, and continuing to take *Tonnage and Poundage* by his Royal Prerogative without any Act of Parliament, sundry (a) *Merchants* upon the Commons Remonstrance, refused to pay the same; whereupon their Goods were seized: of which they complaining in Parliament, 16 *Caroli*, were Voted full Reparations against the Customers, with Damages for the same. And to prevent the Kings Claim thereunto by right; with all future Demands and Collections thereof from the Subject without grant in Parliament, they Declared and Enacted by three special Acts of Parliament 16 & 17, *Caroli*, That IT IS and HATH BEEN THE ANTIENT RIGHT OF THE SVBJECS OF THIS REALM; That NO SUBSIDY, CVSTOME, IMPOST, OR OTHER CHARGES WHATSOEVER OUGHT OR MAY BE LAID OR IMPOSED UPON ANY MERCHANDISE EXPORTED OR IMPORTED BY SVBJECS, DENIZENS OR ALIENS, WITHOVT COMMON CONSENT IN PARLIAMENT, and that if any Customer, Controller, or any other Officer, or Person, should take or receive, or cause to be taken or received the said Subsidy, or any other Impost upon any Merchandize whatsoever, exported or imported, except the same be due, by Grant IN PARLIAMENT, shall incur the penalties and forfeitures OF A PREMUNIRE, to the which the King gave his Royal Assent. And to prevent any future prescription thereunto by the King, they discontinued it for some time, and then granted it specially from Month to Month, or some short space with sundry limitations, and the penalty of A PREMUNIRE if otherwise received, by several New Acts of Parliament, to which the King gave his assent. These Acts the King himself in his Proclamation of the sixteenth of December, in the eighteenth year of his reign, stiles, THE FENCES OF THE SVBJECS PROPERTY, received from Us, and understood by Us, as one of THE GREATEST GRACES THE CROWN EVER CONFERRED ON THE SVBJECS; And by that Proclamation, he prohibited all his Subjects, both the payment and receipt of any Monies for Customs, or other Maritime Duties, contrary

(a) Alderman Chambers, Mr. Rolls, and others.

Nota.

to this Act, by any Ordinance of both Houses of Parliament; under pain of a **PRÆMUNIRE**, and of being likewise proceeded against, as ill-affected persons to the Peace of the Kingdom.

Whereupon the Lords and Commons in their answer to this Proclamation; though they declared; that the intent and meaning of that penall Clause of a **PRÆMUNIRE** and other Forfeitures (in these new statutes, which likewise disable every person, Customer, Officers who should take or receive, or cause to be taken or received any such subsidy or imposition upon any Merchandize, during his life, to sue or implead any persons, in any action reall, mixt or personal in any Court whatsoever,) was only to restrain the Crown, from imposing any duty or payment on the Subjects, without their consent in Parliament: and that it was not intended to extend to any case, wherein to the **LORDS and COMMONS GIVE THEIR ASSENT IN PARLIAMENT** (which they never did to this New *White-hall Ordinance*, nor the pretended Act recited in it, therefore the imposers and receivers of it by vertue thereof, without such assent in Parliament, are within the penalties of the aforesaid Statutes:) Yet to avoid the danger of a *Premunire* in their Officers, by exacting it only by an Ordinance of both Houses, without a speciall Act of Parliament; they did by their first * Ordinances, impose and demand Customes, Tonnage Poundage and new Imposts, not as a Legal Duty, but only **BY WAY OF LOANE**, til the Act of Parliament for their future continuance should be assented to by the King: as, their Declaration of 31 December 1642. and their Ordinance of the same date, concerning the subsidy of Tonnage and Poundage attest. By what color of Law, Justice, Right, this ancient birth-right of all English Subjects, so lately declared by three Acts of Parliament, to which most of our late and present *White-hall* Grandees were parties, comes to bee lost and forfeited by our contests to preserve it; or how the Customes, Imposts of Tonnage, and Poundage, can bee now imposed, continued on, or exacted from the Subjects by any Powers, Officers, or persons Whatsoever, and levied by severest penalties, Forfeitures, Imprisonments, Seisures, by pretext of this *White-hall*

White-hal Ordinance, (though no waies granted by common consent and Act of Parliament,) without incurring a *Premunire*; and forementioned penalties, disabilities; or without subverting the *Fundamental Liberty, Property, Franchises, Laws, Statutes of the whole English Nation*, in a farre higher degree then ever in former ages, I cannot yet discern; and all our *New Governours, Merchants, Customers, Officers* and other persons, who have any *Cordial affection, Love, Zeal to their own or the peoples hereditary Rights and Priviledges*, may do well to demurre in Law upon it, till they can satisfy their own and other mens consciences therein, to prevent the dangerous consequences of such an ill president to posterity. In the Parliament of *H. 4. rot. Parl. n. 32, 33, 34, 36*. These were the principall Articles of impeachment exhibited against *King Richard the Second*; for which hee was forced to depose himself, as unfit to Govern, and resign up his Crown to *King Henry the Fourth*.

* *That whereas the King of England out of the profits of the Realm, and the Patrimony belonging to his Crown, might live honestly without oppression of his people, so as th: Kingdome were not burdened with the extraordinary expences of warre, that this King during the Truces between the Realm and the Adversaries thereof; gave and squandered away a great part of the Crown-Lands to unworthy persons, and thereupon exacted almost every year, so many Taxes and Grants of Ayde from his Subjects of the Realm, that hee thereby GREATLY and TOO EXCESSIVELY OPPRESSED HIS PEOPLE, TO THE IMPOVERISHING OF HIS REALM. That the same King being unwilling to keep and defend the just Laws and Customes of his Realm, and to do according to his pleasure, whatsoever should suite with his desires, frequently when the Laws of his Realm were expounded and declared to him by the Justices and others of his Council, who requested him to administer Justice according to those Laws, said expresly with an austere and frowning Countenance, THAT THE LAWS WERE HIS more suo, AFTER his own MANER; and sometimes, THAT THEY WERE IN HIS OWN BREAST, and THAT HEE ALONE COULD ALTER and MAKE THE LAWS.*

* See Historiam Anglicanæ Londini. 1652. Col. 2750, 2751. Hall: Chronicle f. 78. John Trussell in. 23. R. 2. p 45. Gratian p. 401.

LAWS OF HIS REALM, And being seduced with this opinion, he permitted not Justice to be done to very many of his Leige people, but compelled very many to cease from the prosecution of common Justice. That when as afterwards in his Parliament certain Statutes were made, which might always bind, till they were specially repealed by another Parliament, the same King desiring to enjoy so great Liberty, that none of these Statutes might so binde him, but that he might execute and do according to the pleasure of his own Will, which hee could not do of right; subtilly procured such a Petition to be presented to him in his Parliament, in the behalf of the Commons of his Realm, and to be granted to him in the general; **THAT HE MIGHT BE SO FREE AS ANY OF HIS PROGENITORS WERE BEFORE HIM.** By colour of which Petition and Grant, he frequently did, and commanded to be done, **MANY THINGS CONTRARY TO THE SAID STATUTES NOT REPEALED, GOING AGAINST THEM EXPRESLY, and WITTINGLY, AGAINST HIS OATH AT HIS CORONATION.** That although by the Statutes and Customs of his Realm, in the summoning of every Parliament, his people in every County of the Realm ought to be free, to elect and depute Knights for the said Counties to sit in Parliament, both **TO RECEIVE** their GRIEVANCES, and **TO PROSECUTE** REMEDIES THEREUPON, AS IT SHALL SEEM EXPEDIENT TO THEM; yet the said King, that he might in his Parliament be able to obtain the effect of his rash Will, frequently directed his Mandates to his Sheriffs, that they should cause to come to his Parliament **CERTAIN PERSONS NAMED BY THE KING HIMSELF, AS KNIGHTS OF THE SHIRE;** which Knights verily favouring the said King, he might easily enduce, as he frequently did, sometimes by divers threats and terrors, and sometimes by gifts, **TO CONSENT TO THOSE THINGS WHICH WERE VERY PREJUDICIAL TO THE REALM, and VERY BURDENESOME TO THE PEOPLE;** and specially, **TO GRANT TO THE SAID KING A SUBSIDY FOR CERTAIN YEARS, TO THE OPPRESSING OF**
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His People overmuch. That although the Lands and Tenements, Goods and Chattels of every Freeman, by the Laws of the Realm used in all former ages past, ought not to be seized, unless they had forfeited; Yet notwithstanding, the said King purposing & endeavouring to enervate these Laws, in the presence of very many of the Lords and Commons of this Realm frequently said and affirmed, That the Life, Lands, Tenements, Goods and Chattels of every one of his Subjects, are at his will and pleasure, without any Forfeiture (by the known Laws) which is altogether contrary to the Laws & customs of the Realm aforesaid. Whether all these high Misdemeanors charged against King Richard, have not been revived, and acted over and over both by words and deeds in a farre higher degree than ever he was guilty of them, by some late, present Whitehall Grandees, Army-Officers, New Instrument-makers, Legitors, and Imposers of Excises, Customs, Imposts Tonnage, Poundage, Contributions for many years yet to come; and of that constant Annual Revenue projected, intended by them in their 27 Article: I remit to their own judgements, consciences, and our whole Kingdom to resolve, and what they demerit for such extravagant high offences, for which he lost Crown and Regal power, let others determine.

The 3. particular, is their late incumbent Imposition of 6. Moneths new Contribution, by a meer Self-enacted Whitehall Jurisdiction, without any consent, grant, in or by the People in Parliament, by that they intitle, An Ordinance of the 8. of June 1654. beginning thus (in a most imperial Stile, transcending all former Acts of Parliament, granting or imposing any Subsidies) without any Prologue to sweeten it, or court the people to its ready payment.

Be it Ordained and Enacted by his Highness the Lord Protector, with the consent of his Council, and it is hereby Ordained, That towards the maintenance of the Armies and Parties of this Commonwealth An Assessment of one Hundred and Twenty Thousand Pounds
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per Menssem for Three Moneths, commencing the 24 of June, 1654 and ending the 29 of Sept. following, shall be Taxed, Levied, Collected and Paid in England and Wales in such sort as is hereafter expressed. The full sum of the said Three Months Assessment of One hundred and twenty thousand pounds by the Month, to be at once wholly collected and paid in to the Receivers Generall at or before the tenth day of October next, &c. The Levying thereof upon the refusers hath been by distress of Goods by Souldiers, Troopers, and quartering them on the refusers till payment, and double the vaine many times paid to, and exacted by the Souldiers for their pains; adjudged (even by some of our New Grandees Votes who prescribe such Taxes and wayes of levying them) to be No less then High Treason, and levying Warre in * Straffords case, for which principally he was condemned, and lost his head on Tower Hill, as a Traytor.

* See Mr. St. Johns Argument at his Attainder. p. 36. to 52.

In this New *Whitehall Tax* without a Parliament (intended as a leading President to bind the whole Nation in perpetuity, if now submitted to, as the 27 Article intimates) there is a double violation, subversion of the Fundamental Laws and Properties of the Nation in the Highest degree. The first, is by the reviving, imposing of * *Shipmony* on the whole Realm, and all Inland Counties, as well as *Maritime*, for the Maintenance of the Navies by Sea, (which should be maintained only by the Customs) and that in a farre higher proportion than the *Shipmony* imposed by Writs by our late beheaded King; amounting to no less than Forty thousand pounds per Menssem at least, by way of Contribution alone, besides the Customs, Tonnage, Poundage and Excise paid towards it.

* See Judge Crooks, & Judge Huttons printed Arguments, & my Humble Remonstrance against the Illegal Tax of Shipmony.

This Imposition of *Shipmony*, by the late King, (though ratified with the advise and consent of his Council, many colourable Presidents, Records in all former ages, and the precedent Resolution of all his Judges, under their hands, as just, and legally imposed in case of Necessity and Publike danger only, without consent in

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Parliament) together with the *Judgement and Proceedings of the Judges in the Eschequer Chamber* in justification thereof, were in the last Parliament, after solemn debate, by the * *Votes and Judgements of both Houses*, on the 20. Jan. and 26 February, resolved (*Nemine contradicente*) To be contrary to the *Laws and Statutes* of this Realm, contrary to the *Rights and Properties* of the *Subjects* of this Realm, contrary to former *Judgements* in Parliament, contrary to the great *Charter* and to the *Petition of Right*: and voted to be so declared by the *Judges* at the *Affizes* in the severall *Counties*; the same to be entred and inrolled in the severall *Counties* by the *Clerks* of the *Affises*. After which, it was for ever damned by a *Special Act* of Parliament, to which the *King* himself gave his *Royal assent*, (afterwards cited and enforced by both Houses. *Exact Collection* p. 886. 887. in the case of the *Array*.) And those *Judges* who argued, That the *King* might lawfully impose *Shipmony* on the *Subjects*, without a *Parliament* in cases of *Danger* and *Necessity*, of which they affirmed him to be the sole *Judge*; were all impeached by the *House of Commons* of *High Treason*, for these *Opinions* of theirs; whereby they trayterously and wickedly endeavoured to subvert *The Fundamental Laws* and established *Government* of the *Realm* of *England*, and instead thereof to set up an *Arbitrary* and *Tyrannical Government* against *Law*; of which at large * before. How any present *Powers* or *Persons* then, can either impose, justify, levy, enforce it upon any *Pretext* of *Necessity*, or publique *Danger*, on the whole *Nation*, after all these late *Resolutions*, *Judgements*, *Votes*, *Impeachments*, and a *special Act* of *Parliament* so fresh in memory (especially such who were parties to them) without incurring the self-same *Impeachments* and guilt, as these *Shipmony Judges* did, or a severer *Censure* then they sustained, let their own *Consciences*, and those who may one day prove their *Judges*, resolve them at leisure, being past my skill to doe it?

* Printed at the end of Judge Huttons Argument, & amongst the Statutes of. 16 Caroli.

* Chap 1. p. Diurnal Occurrences & Speeches, p. 191. to 265.

The 2. is, By the imposing of a direct heavy *Tax, Tallage, and Monthly contribution*, and that only (for the Maintenance of such a Land Army, which hath offered force unto the Members of both Houses, subverted, destroyed that *Parliament, Government, Laws, Liberties*, for whose preservation they were specially raised, Commissioned, engaged) without, yea against the Peoples assent in *Parliament*: which no *King of England*, with the advice and consent of his *Council*, had ever any Right or Power to doe, or audacity enough to attempt, no not *William the Conqueror, Cnut, Henry the 4th. Edward the 4th. or Henry the 7th.* who came principally by power of the *Sword*, to their *Sovereign Regall Authorities*. By what Justice, Power, Legal Right, any other person or persons whatsoever, who are neither rightfull *Kings*, nor *Parliaments of England* in their own or others repute, can either impose, levy, exact such extravagant *Heavy Taxes, Contributions*, from the exhausted *Free-born People of England*, (especially being now pretended new *Free State*,) against all our *Fundamental Lawes, Statutes, Franchises, Charters, Properties, Liberties, Records, Parliamentary Judgements*, their own late *Remonstrances, Declarations, Votes*, the *Presidents of all former ages*, yea of all our *Kings* coming in by the *Sword* to their *Thrones*, let the Imposers of them seriously advise, as they will answer it at their utmost peril to *God, Men*, and the whole *English Nation*; who expected better things from them, even a total final exemption from all such illegal *Burthens*, after all their late *Wars, Agonies, Expences*, to redeem and preserve their *Lawes, Liberties, Estates, Properties, Posterities*, from such exorbitant Oppressions, diametrically contrary to all the forecited *Judgements, Resolutions, Remonstrances, Statutes, Votes, Presidents*, and sundry others, which I shall hereafter insist on in the third Chapter of this Treatise to which I must refer you: And shall we not then adventure a dis-
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stresse, a Prison, quartering upon, or any other Dureffe, yea Death it self, rather than volutarily submit our selves and Posterities backs thereto, when as we spend our Bloods, Lives, Treasures, against lesser, easier, Royal Impositions? How shall we answer it to God, Men, or our enslaved Posterities, if we now most safely, unworthily submit thereto in perpetuity, without the least legal, strenuous, publick oppression or debate of its legality.

If any here allege (as some men do) in Iustification of these three, (or rather four) forecited kinds of illegal *universal Taxes*, imposed, levied, on the whole Nation, without consent of Parliament; That they are all warranted by the *Instrument of the new Government*, Article 27, 28, 29. *That a constant yearly revenue shall be raised, settled and stablished, for maintaining Ten Thousand Horse and Dragoons, and Twenty Thousand Foot in England, Scotland, and Ireland for the Defence and security thereof, and also for a convenient number of Ships for guarding the Seas, besides two hundred thousand pounds per annum, for defraying other necessary charges, for Administration of Justice, and other expences of the Government, which Revenue shall be raised by the Customs, and such other ways and means which shall be agreed upon by the Lord Protector and Council; and shall not be taken away, or diminished, nor the way agreed upon for the raising of the same altered, but by consent of the Lord Protector and the Parliament. That the said yearly Revenue shall be paid into the publick Treasury, and issued out for the uses aforesaid. That in case there shall not be cause hereafter to keep up so great a Defence at Land or Sea, but that there be an abatement made thereof; The Money which shall be saved thereby, shall remain in bank for the Publick service, &c. All which they, in the True state of the Case of the Commonwealth, p. 43 44, commend, for a most excellent Provision, A constant Revenue, A Publick Bank or Treasury upon all occasions, &c. which they intend*

Objection.

to perpetuate on the whole Kingdom, without end or abatement, as well in times of *peace, safety, as of war and danger*. Therefore the Protector and his Counsell at *Whitehall* in pursuance hereof, may lawfully impose (by vertue of these Articles) *both Excise, Customs, Tonnage, Poundage, Ship-money and contributions*, for these ends upon our three whole Kingdoms and all the *Freeborn English* by printed Ordinances of their own, in what Proportions, and for what time they please (yea and for perpetuity) without consent or grant in Parliaments, and restrain all future Parliaments, both from *taking away, or diminishing them, or altering the way agreed on for their raising, without their Protector's consent thereto*; (as the expresse words run, and their practise yet expounds them:) notwithstanding all former Laws, Statutes, Charters, Resolutions, Iudgements, Remonstrances, Oathes, Vowes, Declarations, Presidents (either in or out of Parliament) to the contrary.

Answer.

To this I answer, first, that I cannot but stand amazed to hear any Army-Officers, Souldiers, Lawyers, or persons in present trust or power, who bear the name or hearts of *English Freemen, Saints, Christians, Lovers, Patriots or Protectors of their Native Country of England, its Parliaments, Laws, and Liberties*, to make such a stupendious irrational objection, as this, which justifies all the exorbitant *Opinions, Proceedings, Taxes, Oppressions, Impositions*, of our late beheaded King, *Strafford, Canterbury, the Ship-money Iudges, old Whitehall Council Table*, yea all our other former Kings, and their evil Counsellors most irregular *Exaction of money* in all ages from *Brute* till now; and will render the very worst of all our Kings, if compared with our late and present *Tax-masters*, and pretended Assertors of our Liberties, rather *good, gracious, just, righteous, Princes, Benefactors*, than *Tyrants or Oppressors*, for the future, seeing they never out of Parliament imposed, enforced on their subjects any such heavy, various, perpetual *Taxes, Imposts, Excises, Ordinances, or new Articles of the*

Government, as these forecited.

2ly. This Objection (if admitted just or solid) gives a private *Cabinet Lunde*, of obscure persons (yet unknown by name unto our Nation) a *Superlative, Super-Parliamentall Authority*, to contrive and set on foot, a new devised *Instrument*, to undermine and blow up all our former *fundamental Laws, Customs, great Charters, Liberties, Franchises, Properties*, Parliaments, former frame of Government at one crake, after all our late bloody, costly contestations for their preservation, both in the *Supream Courts of Publick Justice*, and *fields of War*, without our privities or consents thereto, either in or out of Parliament, contrary to all their and our Protestations, *Oathes, Covenants, Commissions, Trusts, Promises, Pretences*; And instead of *English Freemen* (as we were before these contests and wars) to strip us quite naked of all our former *Freedom, Liberties, Properties, Customs, Rights*, derived to us from our Noble *Ancesters* as the purchas of their dearest blood & render us & our Posterities for the future, the most absolute *Slaves, Vassals, slaves under Heaven*, inthrall'd to all sorts of intolerable, illegal, unrepresented, incessant, endless *Taxes of all kinds*, without hopes of alteration or mitigation by any future Parliaments, (without their Protectors or his Successors voluntary consents, which they cannot expect) and to a constant standing *Mercenary Army of Horse and Foot, by Land, and Navies of Hirelings by Sea*, to keep us and ours in perpetual Bondage under such *New irregular Successive Tax-Masters*; who must collect their successors like themselves.

3ly. All our former antient *Laws, Statutes, Parliaments* till now, in all changes, *Revolutions of State or Government*, ever constantly asserted, maintained, provided, * *That no Tax, Tallage, Custom, Contribution, Impost, Subsidy, Charge, Excise, Loan or Payment whatsoever, should be imposed on the Freemen of England, without their common consent and grant, in full, free, lawful English Parliaments*; and if any were imposed other-
wise

* See p. 12 to 20 before the 1 Proposition, and Statutes, Arguments thereunto: specially 23, E. 1. c. 5. 6. 34. E. 1. c. 1, 2, 3. 14 E. 3. c. 21, and Stat. 2. c. 1. 3 *Capoli The* Petition of Right.

wise by any Power or Pretext whatsoever out of Parliament, that it was Null, and void to all intents, to bind the people. But these *Monstrous Articles* quite turn the scales; impowring a few private persons (neither elected nor intruded by the people for such ends) by colour of this ill tuned Instrument (contrived privately by themselves alone, as most conjecture, for their own self-interests) to impose perpetuall *Imposts, Excises, Customs, Contributions of all kinds, on our whole three Kingdoms and Nations*, which neither they, nor their Parliaments (though never so grievous, extravagant, unreasonable or oppressive) shall have power to take away, diminish, alter, or regulate in the forecited illegal, oppressing, violent ways of levying them, unless their Grand Sovereign Lord Protector, shall first give his consent thereto; (which they cannot expect, nor enforce,) and in case of his refusall, they are utterly left remediless; he having *Thirty thousand armed Mercenary Horse and Foot in severall Quarters by Land, and a strong numerous Navy by Sea at his command, to keep them under endless Tributes to him and his Successor, for ever.* O England, England, (to omit Scotland and Ireland) consider seriously, and timely, to what a *blessed Liberty, and long-expected freedom*, this New-invented Instrument and the *Irish Harp*, lately quartered with the *English bloody Cross*, as our *Free-State Arms*, hath now at last reduced thee, if these objected *Articles* must remain inviolable, maugre all our *Laws, Statutes, &c.* to the contrary; as our *New Tax-masters* and their *Instruments*, both literally and practically conclude, unlesse you use your uttermost, lawfull, present, diligent, joynt Endeavours to prevent it!

*See their impeachments & printed trials, & Mr. St. Johns Argument at Law against Strafford, p. 34, 35.

4ly, The whole House of Commons, yea some who were parties to this Instrument, lately impeached and with the Lords House, by judgement of Parliament condemned, beheaded the * *Earl of Strafford*, and *Archbishop of Canterbury*, as guilty of *High Treason; in subverting our Fundamental Lawes, Liberties, and setting up an*

arbitrary Tyrannical Government; for resolving at the Council Table, before-hand, To assist the King to raise Monies on the Subjects, to carry on the Warres against the Scots, by extraordinary wayes, in case the Parliament should prove peevish, and refuse to grant such Subsidies as they demanded of them. And for Siraffords affirming, That Ireland was a Conquered Nation, and that the King might do with them what he pleased: That they were a Conquered Nation, and were to expect Lawes as from a Conqueror. And that he would make an Act of Council board in that Kingdom of Ireland, as binding as an Act of Parliament. And do not the Objectors, Contrivers of this New Instrument Articles, and those who now vigorously put it in execution in any kind (as too many do;) *speak out*, and do as much, as bad, as they in each of these particulars; nay farre more and worle? Do not they (after the late violent breaches of our former Parliaments, and their own *Junctoes* by the Army) raise monies in more vast proportions, by more irregular, violent, extraordinary wayes, by longer continued Taxes, Excises, Impositions, and constant yearly Revenues, then they ever did or designed, quite out of Parliament, by their own arrogated Legislative Tax-imposing Power? Do not they by this very *Instrument*, proclaim to all the world, that not only Ireland and Scotland, but England it self, is now a meer Conquered Nation? that thereupon they may do with us what they please; and we must not only expect, but receive Lawes from them as Conquerors; having already published whole Volumes of New Laws and Ordinances of all sorts at their New-erected Council-board (which the Old never did) and made them as binding, not only to Ireland, but England and Scotland too, as an Act of Parliament? yea farre more binding than any Parliament Acts, by binding the hands, power of future Parliaments themselves, and our three whole Nations (as aforesaid) and that in Perpetuity (which no *Parliaments*, nor Acts of Parliament can do) and by repealing, nulling all our

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* Cook 4 Inst.
p. 42. 11 R. 2.
c. 4. 1 H. 4.
rot. Parl. n.
143. 2 H. 4.
c. 22. 21 R. 2.
c. 4. 5. 6. 1
H. 4. c. 7. rot.
Parl. n. 48. 60.
68.

former Fundamental Laws, Charters, Liberties, Free Government made by Parliaments, with our very *Parliaments* themselves? And if so, let the Objectors now seriously consider both the *Treasonableness*, unparliamentariness, sad *Consequences* of this Objection, and what ill effects it may produce in present or future ages.

5ly, The Statutes of 25 E. 1. c. 2. & 42 E. 3. c. 2. yet in force, declare *All judgements given or to be given by the Justices, or any other, contrary to the points of the Great Charter, to be void and holden for nought: and if any Statute be made to the contrary, it shall be holden for none.* Therefore these *Instrument Articles*, and *Paper Ordinances* made by colour of them, in direct opposition to, and subversion of the points of the *Great Charter*, and all other *Acts* for their confirmation, must needs be holden for nought and void to all intents, to bind this whole *Free-born Nation*, or any one Freeman of *England* in particular.

*See Sir Edw. Cooks Preface to his 2. Institutions.

6. If these Articles and Instrument (for the premised reasons, and defect of *Legal power* in the yet unknown *Instrument-makers*) be not void in Law, to all intents and purposes, as all *wise men* repute them; yet other clauses, and *Articles* of this very *Instrument*, (admit it valid and obligatory to our *Nations*) give a fatal blow to all the forementioned *Excises, Impositions, Contributions* by colour thereof, and to the *Objected Articles*.

First the Prologue to the Oath, at the close thereof, proclaims the *Government* settled by it, to be such, as by the blessing of God might be lasting, secure *Property*, and the blessing of God might be lasting, secure *Property*, and answer The Great Ends of Religion and Liberty, so long Contended for: But these Articles (as the Objectors on and premises evidence) do no wayes secure, but utterly subvert all *Property*, in the highest degree; and answer not, but eternally frustrate, abolish, the Great ends of our Religion (condemning all illegal, unrighteous Taxes and *Tyrannical, Usurping, Oppressing arbitrary Powers) but especially of our *Liberties*, so long contended for;

*Jer. 21. 17. c.

22. 3. 4. 5. Pl.

12. 5 Ezech.

18. 5. 10 14. c.

22. 12, 13, 27.

29, 30. c. 45. 7.

10 10. c. 46. 16.

Mich. 3. 1. 10

5. c. 2. 1, 2, 3.

c. 7. 2. 11a 58.

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for; and are rather likely to raise new troubles and unsettlements, than make the *Government* lasting (as many late Presidents, with those ancient ones in Dr. Beard his Theatre of Gods Judgements, l. 2. c. 36. to 42. may perswade us:) Therefore it must be exploded, as repugnant to the whole scope of the *Instrument*.

2. The 6. Article of it is fatall and destructive to the objected Articles; viz: *That the Laws shall not be altered, suspended, abrogated, or repealed, nor any New Law made, nor any Tax, Charge, or Imposition laid upon the People, but by common consent in Parliament. Save Only, as is expressed in the 30th Article (not 27.)* Now these objected 27, 28, 29 Articles, being diametrically contrary to every word, clause of this 6 Article, and agreeable to our Fundamental Laws (which the last clause of the Oath obligeth their Protector and his Successors to maintain, and to govern the People by) which Laws must be all * altered, suspended, abrogated, repealed by these Articles alone, if reputed valid; in giving Power to them, to impose any Tax, Charge, Imposition upon the People, without common consent in Parliament; and being not within the saving of this, or the 30th Article, must needs be void and repealed by this very sixth Article, and the Oath it self.

*See True, &c.
P. 17, 18.

3. The 30th Article following them, diametrically contradicts, repeals them in these words. *That the raising of Money for defraying the charges of present extraordinary Forces both by Land and Sea, in respect of the present wars, shall be by consent of Parliament: Save only, that the Lord Protector, with the consent of the Major part of the Council, for preventing the disorders and dangers which may otherwise fall out both at Sea and Land, shall have power until the Meeting of the first Parliament (on the 3. September 1654.) to raise Monies for the purposes aforesaid.* The former part of this Article is consonant to, and expounded by the 6. forecited, which is more generall: and the plain sense thereof is this. *That all monies raised for defraying the*

Extraordinary Forces both by Land and Sea (exceeding the antient standing Garrisons; Guards maintained by the old constant Revenues of the Crown, without any Tax upon the People) shall be by consent of Parliament. Therefore *a fortiori*; all perpetual standing Taxes, Excises, Contributions to maintain the ordinary and extraordinary Forces by Land or Sea, and ordinary expences of the Government (which, in respect of their constancy, permanency, are far more grievous, dangerous to the Subject than rare extraordinary ones upon emergent occasions) must and ought not to be imposed by their new created Power out of Parliament, after the 3 of September.

Objection.

If any here object; That the latter clause of the 30 Article *Save only*, &c. Authorized those at *Whitehall*, without a Parliament, to impose Excises, Taxes, Customs, Impositions, Contributions forementioned, and any other constant annual Revenue they shall settle, according to the 27 Article; so as it be done before September 3. 1654. Therefore they are all lawfull, because imposed before that time by their printed Ordinances forecited.

Answer.

I Answer, 1. That this *saving*, is utterly void in law, to all intents, 1. Because it is not only contrary to all our Fundamental Laws, Great Charters, Statutes, but repugnant to the body of the 6 Article, and first part of the 30. to which it is annexed. 2. Because it assigns the *Legislative Tax-imposing Power* (the inseparable incommunicable Jurisdiction of our Parliaments alone) to a new *Whitehall Council*, by a void instrument made out of Parliament for a certain time, which biggest Sovereign power, the Parliament it self neither legally may, nor can, nor ought to transfer by any Ordinance or Act of Parliament to any Committee of their own Members, no not for a moment, as is both resolved and declared by Act of Parliament. 1 H. 4. c. 3. and Rot. Parl. 1 H. 4. n. 26, 48, 66; 70. 31 H. 8. c. 8. 34 H. 8. c. 23. and 1 E. 6. c. 12. it being derogatory and destruc-

Elive

Five to the free State power, Rights of Parliaments, tending to the great inconvenience of the whole Realm, and of pernicious example to Posterity, as the whole Parliament of 1. H. 4 long since resolved in positive terms.

2ly. This saving is just like the Popes old * *Detestable* *Pon Obstante*, at the close of their *Bulls*; *que omnem subvertit prae habitam Justitiam*, which subverted all the Justice and Privileges granted before to any in the Body of those Bulls; and as pernicious as that * *Proviso*, which the House of Lords desired at first, to have inserted into the *Petition of Right*, which would have made it *Felo de se*, because it insinuated that the King by his Sovereign power wherewith the Law had intrusted him, for the protection, safety, and happiness of his People might impose any Aid, Tax, Tallage, or charge upon his People without a Parliament, though by his ordinary power he could not do it, which had left the Subjects in worse case than it found them, and wholly destructive to it self in all the parts thereof: whereupon after a conference had concerning it by the Commons, it was totally rejected by both Houses; as this *Salvo* must be for the self same reason.

3ly. Admit it valid; yet it gives power to them to raise moneys for the maintenance by Land and Sea, only until September 3. 1654. and no longer; as is evident by the very words themselves; and the Confession, Exposition, (of those who made the Instrument, as most suppose) in their, *True State of the Case of the Commonwealth of England*, &c. 1654. p. 39. 40. in these words. *This power is to continue only til the sitting of the next Parliament.* Yea George Smith in his new Treatise, intituled, *Gods unchangeableness*, &c. (in justification of the present Governour and Government) p. 54. writes thus; *And for his seeking to have power to make Laws, and raise moneys, it is meer calumination: He seeks it not, He claims it not, but leaves it to the wisdom of Parliament, as appears in Article 6.* (as is thus ex-

* *Math. Paris*
Hist. Angliae
London. 1640.
 P. 810. 818,
 854. 875.
 * See Mr. Sr.
Johns Speech
 against the
 ship-money
 Judges, p. 16,
 17, 18, 19.
Exact. Col-
lect. p. 885.

cepted) for and in Cases of safety and necessity, till the time that this present Parliament was assembled, and yet to be done by him with the advice of his Council, so then he seeks not the strength nor treasure of the Nation, nor to have it in his own power. Therefore they can impose no Taxes, Excises, nor Contributions by their printed Ordinances to continue after its beginning; nor by any future Ordinances (as they term them) after that time. Now the first Tax of Excise, forementioned, is imposed till the 26 of March 1655 which is 7 months after the 3 of September 1654. The 2 of Customs, Tonnage and Poundage, is continued til the 26 of March 1658, which is 3 years and 7 months after this 3 of September. And the 3 for the 6 Months Contribution reacheth till the 29 of December 1654, which is near full 4 Months after the first sitting of that their next Parliament: And any constant yearly Revenue settled by them, will far exceed this limited time, and all former Taxes: Therefore all these premised, and all other future Excises, Customs, Impost, Contributions by pretended Ordinances for their levying after the 3 of September, exceeding the power and time limited by this Saving, must be void, and no ways warranted by the very Saving it self, and to be opposed as such.

4ly. To say, That although these several impositions continue after the 3 of September 1654, yet they were imposed by their Printed Ordinances before it; therefore within this Saving is a most absurd excuse and shift, repugnant to the words, yea wholly destructive to the 6 Article, and first part of the 30, For by this reason had their forecited Ordinances (or any other dormant or future Antedated ones yet unpublished) imposed Excises, Customs, Tonnage, Poundage, Contributions on us for twenty, fifty, an hundred, or a thousand years yet to come, before the 3. of September, they must have been binding to us and our Posterities, during all that space, and unavoidable by the people, or future Parliaments, by this Saving and exposition of it. But the words of
this

this *Saving*, giving only Power to raise Monies until the Meeting of the first Parliament; not to make *New Edicts* any time before it to impose and continue Taxes for any time or years after it, (which would have forestalled, affronted the next and all future Parliaments in their proper work, of granting, regulating all future Taxes (according to the 6. and 30. Articles) and made them meer Cyphers :) clearly takes away this evasion; with all their former and future *Whitchhall* Impositions after the 3 of September; as contrary both to their *Instrument* and *Oath*.

5ly, The words of the 30th *Article* whereto this *Saving* refers, are observable, *That they shall have power until the meeting of the first Parliament, to raise Monies for defraying the Charges of the Extraordinary Forces both at Land and Sea, In respect of the present Wars:* To which, for the purposes aforesaid, in the *Saving* relates. But the present *Warres* being many *Moneths* since ended, both by Land and Sea, by the *Peace* concluded with *Forreign Nations*: and so no need, nor use of *Extraordinary Forces* to be still continued by *Land* or *Sea*; the ancient *Trayned Bands* and *Militia* of the *Realm*, being now well able to defend, secure us at their owne cost, without any *Mercenary Forces*, *Excises* or *Contributions*, only to pay them; the power of raising *Monies* in this *Saving*, with the grounds thereof, are now at an end, as well as our *Wars*; and the whole 27 *Article* too: Since the old *standing Militia*, and *Trayned Bands* of the 3. *Nation*, will be a sufficient *Safeguard* to them, without our *Mercenary Army* or *Forces*; which

* usually prove *Treacherous Supplinters, Usurpers, Oppressors* to all who rely upon them; whereupon our prudent *Ancestors*, since *Vortigernes* usurpation, * intrusted their *Militia* and *Defence of the Realm*, only in the hands of the *Nobility, Gentry, Freeholders, and persons of best ability and estates*, not in *Mercenary Armies* (which supplanted the *Britons*;) And our *Warres* now ceasing, the ancient *Revenues, Lands, Customs of the Crowne*, and

* See *Hylynus Microcoline.*

P. 756. 752.

758. 395. 412.

507. 577. 578.

642. 672. 704.

* *Exact Coll.*

P. 7. 579. 639.

640. 641. 807.

836. 850. 10

890.

and Perquisites of the Courts of Justice, *will be sufficient to defray* all the Ordinary expences of the Government, Navy, old standing Garrisons, (if continued, though useles) Officers of State and Justice, as they did in *former ages*, and still ought to do, for the peoples ease and benefit.

* See the Act of Resumption, 18 H. 6. n. 53.

(a) See Cooks 4 Instit. c. 1. p. 33. Regal Taxes, & here ch. 3. sect. 4, 5, 6.

* See 14 E. 3. c. 21. & stat. 2. c. 1. 5 R. 2. stat. 2. c. 2, 3, & all Acts for subsidie.

* See Henry de Knyghton, de Eventibus Anglia, l. 5. col. 2681. to 2690. 2 R. 2. rot. Parl. n. 20, 21, 24.

6ly, It hath been the special policy, care of our prudent Fore-fathers and wise (a) Parliaments, never to grant any annual Tax or Charge (except Tonnage and Poundage in some cases for a limited time) for Publike Defence, unto their Kings and Governours, nor usually to give them above *Subsidy, or one or two Fifteens, or a single Escuage*, and sometimes not so much, in any one Parliament, upon any extraordinary occasion or necessity, and that upon these Grounds. 1. Because *extraordinary Aydes, ought to be granted only for, and proportioned to extraordinary, present, emergent Necessities*, visibly appearing; which being not lasting, but momentany and various one from another, no standing certain Contribution can or ought to be allotted for them, but only a temporary and mutable; the ordinary settled Crown Revenues being sufficient to defray all ordinary expences; without other Aydes. 2ly, To keep a perpetual tye upon their Kings and Governours, to summon frequent Parliaments, and redress all their Grievances in them, before they should receive any Grant of new Ayds or Subsidies from them, to supply their publique Necessities; to preserve a Power and Right in Parliaments to examine the grounds and present necessity of all Taxes demanded: and to *take an Accompt how former Taxes, & the Kings Revenues had been disbursed, before they granted new ones*: All which the granting of standing annual Aydes for publique Defence would frustrate. 3ly, To prevent the encroaching of a constant Charge and Revenue on the People, which if granted but for years, life; or but twice or thrice in the same kind and proportion, without alteration, though but as a free gift in Parliament, would thereupon be claimed, exacted from them afterwards, as

a meer just annual Right and Revenue, without their future grants, as *Danegeld*, was by some of our Kings of old; *Imposts* once granted, by *Edward the 3.* and other Kings heretofore; and the *Customs of Tonnage & Poundage* by King *Charles* of late. 4ly, To avoid all unjust Oppressions of the people by imposing on them more Taxes at once than the present urgent necessities required. 5ly, To prevent the inhaunfing, doubling of Taxes by any new dangerous Presidents; Sir *Edward Cook* observes in his 4 Institutes, p. 33. *That the Commons never used to give above one Temporary Subsidie, and two Fifteens, in any one Parliament, and sometimes less; till the Parliament of 31 Eliz. which gave 2. Subsidies, and 4 Fifteens; upon which first breach of this old circle and usage, their Taxes still increased afterwards by degrees; for in 35, & 39 Eliz. they rose to 3. Subsidies, and 6 Fifteens: in 43 Eliz. to 4 Subsidies and 8 Fifteens: in 21 Jacobi to 3 Subsidies, and 6 Fifteens, in shorter time then had been before: in 3 Caroli, to 5 Subsidies in shortest time of all: and now of late, to constant annual Imposts, Excises, & endless Monethly Contributions, amounting to at least 3 Subsidies every Moneth.* 6ly, Because a standing extraordinary Tax (especially for years or life) when once claimed or received as part of the publique Revenue, would be hardly relinquished, or discontinued, without much contest, and danger; as appears by *Danegeld* of old, and *Tonnage, Poundage, Excise, Monthly Contributions* of late imposed as of right upon us, by every new upstart Power; and when once customarily claimed, collected as a Duty, will no ways ease nor exempt the people from new Extraordinary Aydes and Taxes. This is evident by that memorable President concerning *Abby-Lands*, in King *Henry the 8* his reign, settled on him as a large annuall standing Revenue, of purpose to defend the Realm, and ease the People from all future Aydes, by the Parliaments of 27 H. 8. c. 28. 31 H. 8. c. 13. 32 H. 8. c. 14. Yet were these Lands no sooner settled on the Crown for these ends, but in the same Parliament of 32 H. 8. the

King demanded and had of his Subjects, one extraordinary Subsidy both of the Clergy and Laity; and 34 H. 8. c. 16, 17. & 37 H. 8. c. 24. he demanded and had the like Subsidy of them again: and his Successors the like and greater Subsidies every Parliament since. The like we see in the Case of Tonnage and Poundage, granted only for the Defence of the Seas and Realm against Forraign Enemies & Pirates: Which no sooner taken by the late King, as a standing Revenue of the Crown, but he exacted and levied against Law, a New annual Tax of Shipmony, to guard the Seas, for which very use he received Tonnage, Poundage, and the ancient Customes; as our late Governors did, and present do; together with new Imposts and Excises; and yet impose Land-rates of Forty thousand pounds a Month besides, to Maintain the Navy. To instance in one particular more: Our late new Governours made sale of all Archbishops, Bishops, Deanes, Chapters, Delinquents, Kings, Queens, Princes, and Sequestred Lands and Goods, both in England, Scotland, and Ireland, one after another; under pretext, to ease the People in, and of their heavy Taxes: But what was the issue? all their Taxes, Excises, and other Impositions were still continued on them, without any intermission or diminution, nay advanced higher than ever, to 120 thousand pounds Contribution by the Month for England, besides Scotland and Ireland, even whiles all these Lands and Goods were selling; the Lands and Goods sold, consumed, without any publique Account yet given of the Monies, or their disposall; or any present ease to the oppressed people: and the ordinary standing Revenues of the Realm being now by this meanes decayed, dissipated, and almost brought to nothing; these New Projectors and Dissipators of this vast publique Revenue; instead of easing, by colour of this Instrument, resolve to impose upon the undone, long-oppressed Peoples gauled, broken backs and Estates, such perpetual constant, annual Taxes, Excises, Imposts, Revenues as you have heard, for the Maintenance both of the Army, Navy, Administration of Justice,

stice and other ordinary expences of the Government ; which no Kings of England ever yet received, or pretended to. Which if any future Parliaments shall be so mad, or improvident once to settle, or the Kingdom not unanimously to oppugne ; if settled by them without a Parliament, instead of easing of the People of their long insupportable Taxes, now their wars are ended ; in all succeeding Parliaments, they shall still be burthened with new extraordinary Taxes, upon new pretended extraordinary occasions, and Forces raised (as the words of the 30 Article, compared with the 27 and 29, declare) as if this new constant revenue had never been settled ; and if our Parliaments refuse to grant them, these New Projecting Tax-Masters (who must dispose of all the moneys in the intervals of Parliaments) will impose and levy them at their pleasure, by their Supertranscendent usurped Tyrannical Power and Sword men, and dispose of them as they please without a Parliament, as they have already done, without rendring any other publick Account to the people thereof, than hath hitherto been given to them of all the many millions of Treasure already extorted from them of late years, to no other end (as appears by these Articles of our New Government) but now at last, to bring and keep them under perpetual endlesse Taxes of all sorts, and the intolerable, worse than Turkish Slavery of a perpetual domineering Mercenary Army, Navy, instead of long promised Liberty, ease and exemption from them, till they are all brought to a morsel of bread, and till their private estates be utterly consumed, as well as the publick Crown and Church Revenues yet remaining.

The sad and serious consideration of all which Premises, I humbly submit to the Impartial Judgements, Consciences of our present Governours, Army-Officers, Souldiers themselves, how discrepant they are from all their former printed Declarations ; Protestations, Promises, Vowes, Engagements to the People, and what they expected from them ; It was the Speech of the Scythian

*Embassadours, to Alexander the Grand Conquerour of the world, * Nec Servire ulli possumus, nec regnare desideramus. Si Deus es, tribuere mortalibus beneficia debes, non sua eripere, sic Homo es, id quod es semper esse te cogita, Stultum est eorum meminisse propter quod tui oblivisceris: Let it be all Heroick English Freemens to our pretended Conquerors; who may do well to remember that Hermolaus and other Officers and Souldiers of Alexanders own Guard, conspired his destruction, after all his Persian Conquests, for this very reason, which they justified to his face, * Quia non ut ingenuis imperare capisti, Sed quasi in mancipia dominaris; because he had begun not to raige over them as Freemen, but to domineer over them like Slaves; and because Revelations in this age, may be more prevalent with some Men than Gods own Oracles, or our Lawes; I shall inform our Tax-imposing Governours; that St. Bridget of Sweden in the 8 Book of her * Revelations of the Heavenly Emperour unto Kings, cap. 6 records; That she had this Revelation from the Son of God, That Kings and Governours ought to love the People and Commonality of their Realms: That they then shew they truly love them, when they permit them to enjoy their approved Lawes and Liberties; when cruel Exactors and Collectors domineer not over them; if they burthen them not with new Inventions of Impost, Taxes, and Tributes, nor with grievous and unaccustomed Hospitality, Permanencies or Freequarter; For although for the resisting of Infidels they may humiliter petere auxilium a Populo; humbly request an aid from the People and Commons of their Realms (not imperiously impose it) when there is a necessity; yet let them beware quod necessitas illa non ventat in consuetudinem & legem, that the necessity comes not into a custom and law: * For that King (or Ruler) who layes not aside his unjust Exactions, and Fraudulent Inventions to raise monies, and oppresse his People, making his reigns and Kingdoms meer robberies and rapines, as most then did, and now too) let him know for*

** Qu. Curtius,*
Hist. l. 7. p.
831.

** Qu. Curtius,*
Hist. l. 8.

** Printed at*
Nurembergh,
1521.

** See Revela-*
tionum l. 4. c.
104, 105. l. 7.
c. 16. l. 8. c.
48. & Revela-
tionones extra-
vagantes. c.
73, 80.

certain he shall not prosper in his doings, but shall lead and end his life in grief, dismisſe his Kingdoms in tribulations; his Son and Poſterity ſhall be in ſuch hatred, reproach and confuſion, that all men ſhall wonder thereat; & his Soul ſhall be tormented by the Devils in Hell: which he manifeſts by the * example of an unjuſt Tax-impoſing King, damned to Hell, and there tormented by the Devils: For that to retain the Kingdom to himſelf, and defend it from Invaſions, he pretended the antient Revenues of his Eſchequer would not defray the Expences of the Government, and Realms defence; whereupon he deviſed certain new Inventions, and fraudulent Exactions of Impoſts, Tributes, Taxes, and impoſed them on his Kingdome, to the damage of the Natives, and oppreſſion of innocent Merchants and Strangers; altho' his conſcience dictated to him, *Quod iſta erant contra Deum, et omnem Juſtiti- am, et Publicam Honeſtatem*: that theſe things were againſt God, and all Juſtice, and Common Honeſty; as our forementioned Excises, Impoſts, Taxes are now. Let thoſe who are now guilty of this ſinne in the higheſt degree, beware they incurre not the ſelf-ſame temporal and infernal puniſhments, thus threatned to and inflicted upon others. And let our whole Engliſh Nation and their Trustees, upon ſerious conſideration of all the premiſes, beware how they in any kind, through fear or cowardice, ſubmit their necks or backs to the forementioned illegal Yokes and Burdens, of perpetual ſtanding Excises, Impoſts, Contributions and Taxes, to enſlave themſelves and their Poſterities for ever to an oppreſſing Military New Government, and perpetual Army: For which end I ſhall only recommend unto their meditation and practice, this obſervation and policy of our prudent Anceſters, * *Vinus adus inducit Conſuetudinem*; that a durable general ſubmiſſion to, and payment of ſuch exorbitant illegal Taxes, will introduce a cuſtomary, future exaction and payment of them; which made them always (as we have greateſt reaſon now to do) peremptorily to withſtand the firſt, to prevent a ſecond cuſtomary, future exaction

* Revelationum
l. 8. c. 48.

* Math: Paris
Hiſt. Angl.
p. 517.

and payment in like kind; pursuing the Poet *Ovids* old sage Counsel, wherewith I shall conclude this point.

* *De Remedio
Amoris*, l. 2.

* *Principiis obsta: sero medicina paratur
Cum mala per longas invaluere moras,*

How transcendently all the other Fundamental Laws, Liberties, Rights of our English Freeborn Nation have by late and present Governours and their Instruments been infringed, subverted in an higher avowed degree than ever in former ages, by forcible tyrannical Proceedings of all kinds, in breaking open mens Houses, by armed Souldiers, and other unsworn illegal Officers, Excise-men, Sequestrators, both by day and night; seising their Persons, Horses, Armes, Papers, Writings; ransacking their Studies, Truncks, Cabinets, upon false surmises, suspicions; close imprisoning their persons (by multitudes) without, before any examination, particular accusation, bearing, trial, in unusual places; and some of them in remotest Isles, Garrisons under Souldiers: Their pressing of men for Land and Sea service, and carrying them away perforce by Soldiers, Troopers, Officers, Mariners, (like so many Prisoners) out of their own Counties and the Realm, to unnatural, unchristian Wars, against their Wills and Consciences: Their disinheriting many Thousands of English Freeman of all sorts, of their Freeholds, Lands, Offices, Franchises, Honors, Authorities; spoiling them and theirs of their Goods, Chattles, Estates, Lives, in and by Arbitrary Committees, Martial, & other extravagant Courts of highest Injustice: Subverting, Changing our ancient Fundamental Lawes, Statutes, and enacting New without the Peoples free consents in Lawfull, English Parliaments: altering the whole Frame and Constitution of our Monarchy, Government, and Parliaments themselves: Depriving the people of the Free election of their Parliament Members, and other Elective Officers, contrary to our Lawes, Charters, Usages; securing, secluding the Members of Parliament themselves, by armed Force; dissolving Parliaments by the Sword alone, without Writ or legall power,

power, contrary to Acts and Privileges of Parliament; by erecting New Legislative, Tax-imposing, Self-created Powers, (not elected by the People) at Whitehall and elsewhere, not to be paralleled in any age. By creating New-Treasons contrary to the old ones, and the Statute of 25 E. 3. and condemning, sequestering, imprisoning, executing English Peers and Freemen, only for their loyalty, Duty to their lawfull Sovereigns, and defence of the Rights, Privileges, Liberties, Laws of the Kingdom, Parliament, Nation, according to their Oathes, Protestations, League; Covenant, and Gods own Precepts, against the publique Enemies, Oppugners, Undisminers, Subvertors of, and Conspirators against them. By making publick wars at Land and Sea with our Christian Protestant Brethren, and other Nations; and concluding Leagues, Truces without common consent or advice in Parliament. By alienating, selling, giving, squandering away the ancient Demesnes, Lands, Honours, Rents, Revenues, Rights, Inheritances of the Crown of England, (yea of Scotland and Ireland likewise) to Officers, Souldiers of the Army, and others, for pretended Arrears, Services, or inconsiderable values; which should defray all the constant ordinary Expences of the Government, publique, State Officers, Embassadors, Garrisons, Navy, Courts of the Kingdom, and ease the People from all kind of Taxes, Payments, Contributions whatsoever towards them (except in extraordinary emergent cases and necessities in times of war, requiring extraordinary expences for their publique safety supplied by Aydes and Subsidies granted only by common consent in Parliament only, and not otherwise) which now must be wholly, or for the greatest part defrayed by the People alone, out of their own exhausted private estates, by endlesse Taxes, Excises, Contributions (as appears by the 27, 28, 29, 30. Articles of their New ill sounding Instrument foreinsisted on) whiles others, without right or legal Title, enjoy the old standing Demesnes, Lands, Rents, Revenues and Perquisites of the Crown for their private advantage without any Acts of Resumption

(* usual

* See Mat. (* usual in all former ages) to keep the Kingdom, Nation
 Paris p. 306. from becoming Bankrupts, and people from oppression)
 308. Grafton, which should ease the people of those intollerable constant
 p. 90. 149. burthens lately laid upon them, against all Justice, Law,
 Daniel, p. 78, Conscience, and make insufferable waſts, and ſpoyles of
 79, 83, 123. the ſtately Houſes, Timber, Wood, Mines, Forreſts,
 1 R. 2. Rot. Parkes of the Crown, without restraint, to the Kingdoms ex-
 Parl. to 148. traordinary prejudice ; for which they ought to give an
 1 H. 4. n. 100. Account and make full reparations, if the Earl of Devon-
 6 H. 4. n. 14, ſhires caſe, Cook 11 Reports f. 89. 90, 91. be Law. And
 15. 8 H. 4. n. by ſundry other particulars (requiring whole Baronian
 52. 1 H. 5. c. volumes, to recite and ſpecifie to the full ;) is ſo well
 6. 28 H. 6. known by dayly experience, and multitude of Preſidents
 rot Parl. n. freſh in memory, to our whole three Nations, that I
 53. 31 H. 6. ſhall here no further inſiſt upon them. all which experi-
 c. 7. 33. H. 6. mentally confirm the truth of our Saviours own words.
 n. 47. 4 E. 4. John 10, 1, 10. Verily, verily I ſay unto you, He that
 n. 39. 12. E. entreth not by the Doer into the Sheepfold, but climbeth
 4. n. 6. up ſome other way, the ſame is a Theef and a Robber ;
 The Theef cometh not but ſteal and to kill, and to deſtroy,
 Whatever his pretences be to the contrary. And this
 rule of Johannes Angelius Wenderbagen: *Politia Synoptica*,
 lib. 3. c. 9. ſect. 11. p. 3. 10. *Hinc Regule loco notandum.*
Quod omne Regnum vi Armata acquiſitum in effectu Sub-
ditos Semper in durioris Servitutis conditiones arripiat, li-
cet a principio Dulcedinem prurientibus ſpirare videatur ;
 (which we now find moſt true, by ſad, ſenſible experi-
 ence) *Ideo cunctis hoc cavendum, Ne temere ſe ſeduci pa-*
triantur.

FINIS.

THE SECOND PART
OF A SEASONABLE
LEGAL and HISTORICAL
VINDICATION,
and CHRONOLOGICAL
COLLECTION

Of the Good old Fundamental Liberties, Franchises, Rights, Lawes, Government of all English Freemen; their best Inheritance and onely Security against all Arbitrary Tyranny and Egyptian Taxes.

Wherein the extraordinary Zeal, Courage, Care, Vigilancy, Civill, Military and Parliamentary Consultations, Contests, to preserve, establish, perpetuate them to Posterity, against all Tyrants, Usurpers, Enemies, Traitors, both under the ancient Pagan and Christian Britons, Romans, Saxons. The Lawes and Parliamentall Great Councils of the Britons, Saxons.

With some Generall Presidents. concerning the limited Powers and Prerogatives of our British and first Saxon Kings; the Fundamental Rights, Liberties, Franchises, Lawes of their Subjects, the severe punishments of their Tyrannicall Princes on the one side, and of unrighteous Usurpers, Traitors, Regicides, Treason, Perfidiousnesse and Disloyalty on the other (recorded in our Historians) are Chronologically Epitomized, and presented to publick View, for the benefit of the whole English Nation.

By WILLIAM PRYNNE of Swainswick, Esquire.

Prov. 22. 28. Remove not the Ancient Land-markes, which thy Fathers have set.

2 Sam. 10. 12. Be of GOOD COURAGE, AND LET US PLAY THE MEN FOR OUR PEOPLE, and for the Cities of our God; and the Lord do that which seemeth him good.

Dan. 7. 25, 26. And he shall thinke TO CHANGE TIMES AND LAWS, and they shall be given into his hand, until a time and times and the dividing of times. But the Judgement shall sit, and they shall take away his Dominion, to consume and to destroy it unto the end.

London, Printed for the Author, and are to be sold by Edward Thomas dwelling in Green Arbour, 1655.



ERRATA.

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Exentibus.



A Legall and Historicall Vindication of the Fundamentall, Rights, and Laws of England.

CHAP. III.

I Have in the two precedent Chapters fully proved, That the Kingdome, and Freemen of England have some antient hereditary just Rights, Liberties, Franchises, Laws and Customes properly called **Fundamentall**, together with a **Fundamentall Government**, no wayes to be altered, undermined, subverted directly or indirectly to the publick prejudice, under pain of high Treason in those who shall attempt it, especially by fraud, force or armed power; and given you likewise the heads of the chiefeft of them in **X** brief Propositions. I shall now in the third place proceed, in a Chronologicall way, to present you with a large Historicall Catalogue of the severall Nationall, Parliamentall, Legall, Martiall publick and private contests, great Charters, Lawes, Statutes, Votes, Declarations, Remonstrances, Claimes, Records, Evidences, Writs, Oathes, Vowes, Protestations, Covenants, Excommunications, Confirmations, Judgments, Resolutions, and principall Authorities in all ages, both under the antient Britons, Saxons, Danes, Normans and English Kings, till our present times; plentifully, undeniably evidencing, declaring, vindicating, asserting, establishing, perpetuating these Fundamentall, Hereditary Rights, Liberties, Priviledges, Franchises, Customes, Lawes: and abundantly manifesting the extraordinary zeal, courage, wisdom, and vigilancie of our Ancestors, to defend, preserve and perpetuate them to posterity, without the least violation or diminution.

I shall begin with the highest *Antiquities* extant in our Histories, pertinent to my *Theame*, and so descend to those of puerer times, relating all of them for the most part (except here and there where the identity of the subject matter and desire of brevity occasion me to vary somewhat from this intended method) according to their *Antiquity* and *Chronologicall* series of time, referring such particulars of them as relate to each of the forementioned *X. Propositions* in the second Chapter, only with figures in the margin, designing the severall *Propositions* unto which they have more immediate reference; without reducing these *Historicall Collections* to distinct heads under every *Proposition* in order, as I have proposed them; which course would have interrupted my *Chronologicall Method*, and caused a frequent repetition of sundry passages, Charters, Acts, Oathes, Records, relating to severall of these *Propositions* for the most part, not to one of them alone, which I shall now avoid by affixing the number of single *Proposition* whereunto they refer in the margin, eachwherewith the Reader may easily compare them, with more delight, and as much satisfaction, as if I had marshalled them all in rank and file under those distinct *Propositions* wherunto they have relation. As for those *Historicall passages* which contain the severall publick *Parliamentall* or *Martiall* contests of our Ancestors, with their *Kings* and other invading *Nations*, for their *Liberties*, *Rights*, *Laws*, *Customes*, and great *Charters* in the generall, I have annexed no figures unto them, every of them for the most part, referring to all or most of these *Propositions* in grosse, though not particularly specified in these contestations for them.

And because I intend for the better confirmation of our antient Fundamentall *Liberties*, *Priviledges*, *Freedomes*, *Rights*, *Lawes*, *Government*, and greater benefit of *Posterity*, briefly to passe through the severall successive *Reigns* and *Dominions* of the *Britons*, *Romans*, *Saxons*, *Danes*, *Normans*, as well as of our *English Kings* since the *Conquest*

Conquest (as we usually style it) whereon I shall principally insist, as of greatest, nearest concernment to us of this generation, I shall for order sake, divide this Chapter into distinct Sections: the rather, because the largeness of it may occasion the Stationer to publish it (as he did the two first Chapters) in severall parts, as they shall be Printed, the compleating of the whole requiring longer time (in respect of my remoteness from the Presse, and the largeness thereof) then the present usefulness of each part, and the longing desires of some Readers after it, would willingly allow for its publication in one whole volume, which every mans purse who desires it, cannot so easily purchase in these necessitous times, as it may do in parcels.

SECTION I.

Concerning the Ancient Britons contests for their Liberties and Lawes, against Tyrants, and Invaders of their Fundamentall Government Rights, and of their great Councils till the Romans Conquest.

IT is agreed by all our Historians, that the Britons were the originall known Inhabitants of this Iland, from whom it was stiled Britain; but from what foreign Nations the Britons descended, our Antiquaries differ in opinion: our later writers herein dissenting from those of former ages, with whom I must begin.

Most of our (a) antient Historians, and the whole famous Parliament held at Lincolne, Anno 28 E. 1. (in the learned * Letter therein compiled and agreed to be sent by the King to Pope Boniface, to prove the subjection and homage of the Kingdom and Kings of Scotland from time to time to the Kings of England Iure Domini, as Supreme

(1) Henr. Huntingdon hist. l. 1. p. 105. Malf. Monum. hist. l. 1. Math. westm. Flores Hist. Aetas 3. p. 23, 24. Ponticus Virumnius hist. l. 1. Polychronicon, Fabian, and sundry others. * Walsingh. Hist. Angl. p. 49, &c.

Lords thereof, by Historicall precedents in former ages, collected out of all Histories and Records then extant) unanimously record, That the Britons originally descended from the Trojans; that they arrived here in Britain about the dayes of Ely the Priest, under Brute their first King, who divided it at his death into three distinct parts and Kingdomes between his three Sons; leaving that part thereof nowcalled England (then Loegria) to Loegrinus his eldest Son and his Heirs, as an hereditary, not elective Kingdome, according to the custome of the Trojans;

(b) *Petebat enim Troiana consuetudo, ut dignitas Hereditatis primogenito perveniret*, as our Historians; and that whole Parliament of 28 E. 1. resolve. So that an Hereditary Kingdome and Monarchicall Government by Kings, was the originall Fundamentall Government settled in this Island by Brute; and that as well in those parts thereof since called Scotland and Wales, as England, which all our (c) Historians, asserting this originall of the Britons unanimously attest, with that answer which Diana gave unto Brute before his arrivall in Britain, when she directed him to come and seat himself therein, further evidenceth, if we may give any credit hereunto.

(b) Tho. Walsingham. Hist. Angl. An. 1232. p. 50.

(c) Galsfr. Monum. hist. l. 1. c. 11. Math. West. Flores hist. p. 16, 17. Ponticus Virun. hist. l. 1.

Brute sub occasu Solis, trans Gallica Regna
 Insula in Oceano est, undique clausa mari:
 Insula in Oceano est habitata Gigantibus olim,
 Nunc desert a quidem, Gentibus apta tuis.
 Hanc pete, namque tibi sedes erit illa perennis,
 Hic fiet natis altera Troja tuis.
 Hic de prole tua reges nascentur, et ipsæ
 Totius terre subditus orbis erit.

(d) See camd. Brit. p. 2230.

With this concurrereth the more authentick testimony of (d) Cornelius Tacitus; The Britons heretofore were governed by Kings; now they are divided by petty Princes into Parties and Factions: with that of Pomponius Mela, Britain bringeth forth Nations, and Kings of Nations.

The

The very first act that made their first King Brute most famous before his arrivall in Britain, was his delivering of 7000 Trojans, his native Countrymen (with their wives and children) from their Serbitude and Bondage under King Pandrasus and the Gracians, whom he vanquished and took Prisoner in Battle, and thereby restored them to their lost Liberty. After which Victory, Brute majores natu convocabit, assembling the Elders of the People (in nature of a Parliament) demanded their advice, what he should do with Pandrasus, and what things and conditions he should for their benefit demand of him, which he would willingly grant being in their power. Whereupon some advised him to demand a part of his Kingdome for them freely to inhabit: others counselled, rather to demand of him free liberty for them all to depart thence, with accommodations for their voyage to seek another habitation elsewhere; others advised to bring Pandrasus forth and to put him to death, and seise upon his Realme, in case he refused to grant their demands. At last Mempritiu, a great Counsellor standing up said, *Regem interficere cupiditate Dominandi nefas mihi bidetur, cum omnibus licitum sit pro patria pugnare*; To slay a King out of a desire of reigning in his stead, seemes a wickednesse unto me, seeing it is lawfull to all men to fight for their Country: (this was the Divinity and Morality of the very Pagan Britons in that age) Whereupon I rather advise, that we should demand his eldest daughter from him as a Wife for our Captain Brute, and a good sum of Gold and Silver with her for her dowry, with Ships and all other necessaries for our journey, and free license to transport our selves to some other Country, because we can never hope to live peaceably there, seeing the Children and Nephewes of those which we have newly slain in these Warres, would meditate revenge. To the which, *Tota Multitudo acquiebit*, all the Multitude assented; and Pandrasus to save his life and gain his enlargement, willingly condescended to, furnishing them with Ships and Provisions. With which Brute and all his associates arriving at Totnes in Albion, seating themselves there, Brute from his name styled this Iland Britain, and his Companions Britons,

Galfr. Mo-
num. hist. l. 1. c.
4, to 12. and
Math. West. p.
14, 15, 17, 18.
Proposit. 5, 6, 9.

Proposit. 5. 10.

destroying those few Gyants which formerly possessed it ; and then building a City which he styled *Troj-Novant* (now London) *dedicavit eam civibus iure victoris, deditque legem qua pacifice tractarentur.*

In this History of our first British King *Brute*, we have these 5. remarkable particulars ;

1. A Warre to shake off *Slavery*, and recover publick Liberty.

2. A kinde of Generall Parliamentary Councell summoned by *Brute*, of all the Elders of the Britons, to advise of Peace, Warre, and of their common safety and affaires.

3. A resolution against killing even a Tyrannicall oppressing King, taken in the field in Battle, out of Covetousnesse to enjoy his Crown and Dominions, as a most wicked act.

4. A setting of an hereditary Kingly Government in this Isle upon the very first plantation of the Britons in it.

5. Lawes made and given to the people, where-by they might live peaceably without injury or oppression.

(f) *Galf. Monum. Hist. Reg. Brit. l. 2. c. 11. Ponticus Virunnius hist. Brit. l. 2. Mat. Westm. p. 27, 28.*

(g) *Gildas hist. c. 19. Galf. Monum. l. 2. c. 17. Math. West. p. 51. 52. Tho. Redburni Chron. Dr. Usher De Brit. Eccles. Primordiis. p. 127, 128. Fox. AEs and Monum. ments Vol. 1. p. 211. 212. Ponticus Virunnius Brit. hist. l. 2.*

This Kingdome descended in lineall succession from *Brute* and his Posterity, to (f) *Leir* Son of King *Bladud*, who reigning 60. years, and having only three Daughters, *Consilio procerum Regni*, by the Councell of the Nobles of the Realme (assembled in Parliament) gave two of his Daughters in marriage to the Dukes of *Cornwall* and *Albania*, with one Moiety only of the Iland while he lived, and the whole Monarchy of Britain after his death. After this, *Porrex* slaying his elder Brother *Ferrex* to get the Crown, was slain by his own Mother and her maids for his Treason and Fratricide ; whereupon civill discord arising a long time, the Kingdome thereby was subjected to five severall Kings, who infested one another with mutuall slaughters, till (g) *Dunwalla* succeeding his Father *Clotho* King of *Cornwall* in

in the Crown, slaying the usurping Kings of Loegria, Wales and Albania, reigned alone over them (about the time of Nehemiah) After which he enacted certain Laws, called *Molmutine Laws*; which for many ages after were very famous and generally observed among the Britons; yea used, commended by the Saxons and English, and inserted into Edward the Confessors Lawes, being famous till William the Conquerours time. What these Lawes were in particular, in relation to the Liberty and Property of the Subject, appeares not; but the issue proves, that they tended to publick peace, and preservation of the Subjects persons and estates from violence. For in his Reign after these Lawes published (for confirmation whereof he built the Temple of Concord in Troynovant, where he was afterwards buried) *Latronum mucrones cessabant, Raptorum sevitie obturabantur, nec erat usquam qui violentiam alicui ingereret*; The swords of thieves ceased, the cruelties of Plunderers and violent takers of mens Goods and possessions were prevented, neither was there any to be found in any place, who would offer violence to any man. Moreover he ordained, That the Temples of the Gods, and Cities, and the wayes leading to them, and the Ploughs of Husbandmen should enjoy the priviledges of Sanctuaries, so as every person who fled unto them through guilt or otherwise, might depart quietly with leave and without arrest before his enemy.

After his death (about 400. yeares before our Saviours Nativity) his two Sons *Brennus* and *Belinus*, by consent divided his Kingdome between them; till *Brennus* the younger Son, aspiring after the Monarchy of the whole Island, was vanquished and expelled by his Brother into France. In which Warre *Guthlac* King of Denmarke, ayding *Brennus*, was taken Prisoner by *Belinus*, *Qui conturbabit omnes Regni preceses, &c.* who called together all the Nobles of the Realme to Yorke, *consilio eorum tractaturus*, to debate by their Councell (in nature of a Parliament) what he should do with *Guthlac*, who proffered to submit himself with his Kingdome of Denmarke to him, to pay him an annuall

Tribute,

Proposition 2.

4. 5.

(b) Galfr. Mon.
num. b. 11. l. 3.
Pentecus Vi-
rannus Brit.
Hist. l. 3. Math.
Westm. Eras 5.

P. 53. 54.

Proposit. 5. 9.

Tribute, and to ratifie this agreement by his Oath, and sureties
 Proposit. 5.6 9. for his enlargement and ranfome: Whereupon the Nobles
 resolved, that he should be enlarged upon this condition,
 which was done accordingly: Conlocatis proceribus cum id
 iudicatum fuisset assensum prebuerunt cuncti; that he
 should be enlarged upon these conditions, as the Marginall Au-
 thors record. After which King Belinus obtaining the
 Government of the whole Iland, Confirmed his Father
 Molmutines Laws, commanding upright and stable Justice to
 be done throughout the Land, and the wayes to the
 Temples to be marked out in all places with stones, that
 they might not be ambiguous, being priviledged from ar-
 rests and violence. This King adding himself constantly to
 Justice, the people thereby became more wealthy in few years, then
 ever they had been in former times. After this Brennus arri-
 ving with an Army out of France to recover his right;
 Belinus being ready to encounter him in a set Battaille,
 their Mother mediated a Peace between them, whereupon
 they lovingly embraced each other: and going to Troino-
 vant, into concilio quid agerent; having there hold a Coun-
 cell what they should do, they Resolved to send a common Army
 to conquer France, and other Forain parts, which they put in
 execution. Here we have matters of Warre and Peace, and
 Lawes concluded and ratified in and by a Parliament of
 Nobles in this age.

(i) Galfr. Mo-
 num. & Ponticus
 Virun. hist.
 Brit. l. 3. Math.
 west. A. l. 5.
 p. 5. 6. Fox
 Acts and Mon.
 vol. 1. p. 211,
 212.

King (i) Guithelin, to whom the Crown lineally de-
 scended from Belinus, married *Martia* a Noble woman,
 learned in all arts, who invented the Law which the Britons
 called *Martiana*; which King *Alfred* approving, transla-
 ted into the Saxon tongue and called it *Marchen-Leage*. King
Edward the Confessor making use of it in the collection and
 compiling of his Lawes, hereafter mentioned. Though
 this Queen first invented this Law, no doubt it was ra-
 tified by publick consent of the King her Husband,
 and the Nobles in their generall Councell in that age,
 else it could not have the force of a Law, by her bare
 penning of it. *Corbonius* grandchild to *Guithelin* and

Proposit. 5.

Martia

Martia coming to the Crown by descent, governed his people most justly according to these forecited Lawes, it being his continuall custome, to give due honour to the Gods in the first place, and then to administer right justice to the people. He encouraged Husbandmen in their tillage, and defended them from the injuries of their Lords; and he enriched his Souldiers with gold and silver, so as none of them had need to do any injury or violence to any other.

(k) *Archigallo* his Brother succeeding, degenerated from him in all his actions; for he endeavoured every where, *Populos quosque deprimere*, to depreesse all that were Noble, and to advance ignoble persons, to take away rich mens goods and mony by violence, thereby heaping up infinite treasures: which the Nobles of the Realm refusing to endure any longer, rose up against and deposed him from his royall Throne, creating his brother *Elidurus* King in his stead. He, after five years reign, meeting his deposed brother in a wood as he was hunting, ran to him, embraced, kissed and brought him to his own royall Bedchamber privately, and then summoned *Proceres omnes et principes*, all the Nobles and Princes of the Realm to come speedily to his City of *Alclud*; who repairing thither, he feigning himselfe to be very sick, commanded every of them one by one, to come into his Bedchamber to visite him: which they thus doing, he threatned presently to cut off all their heads as they entred singly, unlesse they would consent to submit themselves again to *Archigallo* as their Sovereign; which they, through fear of death assenting to, he made an agreement between them, and then carrying him to *Yorke*, took the Crown from his own head, and set it on his brothers *Archigallo*. For which memorable self-denying pious act to his brother, he was styled *Elidurus pius*. *Archigallo* upon his restitution corrected his former errors, deposed all ignoble persons, advanced the Nobility, permitted every man to enjoy what was his own, and administered right justice to his people.

Emianus his Son (King after him) treating his Subjects ill, was deposed by them from the Throne of the

(k) *Galfr. Monum. hist. Brit. l. 3. c. 16, 17. Math. west. p. 56, 57, & c. Ponticus Virunnius l. 3. Fabian, Holinshed, Grafton, Speed in their lives.*

(l) *Galfr. Monum. hist. l. 3. c. 19: Ponticus Virunnius l. 3. Math. West p. 67*

the Kingdome, because he contrarying justice, preferred Tyranny; *Edwallo* being made King in his place: who instructed by his Predecessors overlights, *Jus atque rectitudinem colebat*, followed Law and rectitude, as did others of his successors.

(m) *Galfr. Monum. & Ponticus Virumius hist. Brit. l. 4 Math. West. p. 66, 67. Fabian, Holinshed, Grafton in the life of Cassibelan.*

Our (m) Histories record, that about 54. years before our Saviours birth, *Julius Caesar* having conquered France, espying Britain from thence, having learned the name of the Ile and Nation, sent messengers thence to *Cassibelan* King of Britain, exacting with threats an annuall Tribute from him and the Britons to be paid to the Roman Senate, as well as from other Nations, else he should be enforced to transport his Army and shed their blood. Whereupon *Cassibelan* returned this answer to him in writing.

Cassibelanus King of the Britons to *Cajus Julius Caesar*, Marvellous, O *Caesar*, is the covetousnes of the Roman people, who thirsting after gold and silver in all places, cannot suffer us placed beyond the World, within the perils of the Ocean, to be quiet, but presume to affect our Tribute and Revenues, which we have hitherto peaceably possessed. Neither verily will this suffice, unlesse renouncing our Libertie we shall make subjection to him, and thereby undergoe perpetuall servitude; therefore *Caesar* thou hast demanded A Shamefull thing; seeing the vein of common Nobility flows from *Aeneas*, both to the Britons, and Romans, and one and the same bond of kindred, lives still in both, whereby they ought to be knit together in firme amity. This therefore should have been required of us, not servitude; because we have learned, rather to give this then to bear the yoke of Servitude. For we have been so much accustomed to enjoy Liberty, that we are altogether ignorant what it is to obey Servitude. Which Liberty if the Gods themselves should endeavour to take from us, verily we would strive with all our might to resist them, that we might retain it. Be it known therefore to thee *Caesar*, That we are prepared and resolved to fight for it, and for our Realme, if, as thou hast threatned, thou shalt begin to come upon the Isle of Britain.

Here-

Hereupon *Cesar* preparing his Navy and Forces,
 arrived with his army at the mouth of *Thames*: the
Britons though at civill warres among themselves be-
 fore, upon this necessity, united themselves together to op-
 pose the *Romans*, and *communi consilio*, (as *(n)* *Cesar* *(n)* *Comment. l.*
 himself and others write) by common advice and assent, *5 John Stow*
 (in a Parliament of that age) elected *Cassibelan* for their
 Generall, and committed the managing of the Warres to
 him: who gathering the whole strength of the *Britons* *his Survey of*
 together, *consilium querens a Principibus Regni*, as some, *Specds Hitt. of*
 and a *proceribus suis*, as others record; taking counsell *Great Britain*
 with the Princes of the Realme and his Nobles, how to re-
 pulse the enemies, they resolv'd to resist their Landing, and
 to assault them in their tents, before they had fortified them-
 selves, or taken any Towne, and so to repell them. Which ad-
 vice they pursuing, opposed their landing, and forced
 the *Romans* that were landed to their ships, and compell-
 ed *Cesar* to returne into France, as our *British Historians*
 assert, though *Cesar* in his *Commentaries*, to cover his
 dishonour, relates the contrary. The year following
Cesar recruiting his Army landed again in *Cornwall*, and
 was repulsed by *Cassibelan* the second time with great
 losse. Whereupon *Cassibelan* joyfull of his victory,
 returning to *Troinivant*, *Edictum fecit, ut omnes*
proceres Britannie Convenirent, made an *Edict*, that all
 the Nobles of Britain should assemble together at *Troinivant*,
 to offer publick prayes and Sacrifices to his Gods, who had made
 him to triumph over so great an Emperor as *Cesar*. At this
 assembly, *Evelin* Nephew to *Androgeus* Duke of *Troinivant*,
 playing with *Herelgas* Nephew, to *Cassibelan*, upon a
 sudden quarrell between them, cut off *Herelgas* head; at
 which the King being very angry, commanded *Evelin*
 to be brought before his presence, and to be ready,
sententiam quam proceres Dictarent, or talem senten-
tiam quam proceres Regni judicarent subire, to under-
 goe such a sentence and judgment as the Nobles and
 Peers of the Realme should pronounce, that *Herelgas*
 might

Proposit. 2.

* Or, si quis
adversus ali-
quem suorum
querimoniam
haberet, as o-
thers render it,

might not remain unrevenge'd, in case he were unjustly slain. Androgeus suspecting the Kings minde towards his Nephew, answered, *Hese suam curiam habere et in illa diffiniri debere,* * *quicquid aliquis in homines suos clamaret: Si ergo rectitudinem Evelino decrevisset appetere, ipsum in urbe Troinovanto ex veterum traditione recepisset.* That he had his own Court, and that in it what ever any one complained of against his men, ought to be determined, therefore if he decreed to desire justice against Evelin, he might receive it in the City Troinovant, according to the custome of the Ancients. Upon this answer, they departing discontented one from another, Cassibelan threatned to invade and waste Androgeus his Country with fire and sword, unlesse he delivered up his Nephew to justice; which he peremptorily refusing, Cassibelan wasted his Country accordingly, notwithstanding all his entreaties by his kindred and friends to divert him from it. Hereupon Androgeus sent messengers to Caesar, complaining of this ingrate and injurious violence, and craving assistance from him against Cassibelan, (who endeavoured to disinherit him of his Country by whose meanes he had inherited his own, and gotten the victory over the Romans) promised to joine his forces with him, and so make him Lord of all Britain, if he would by his power restore him to his former dignity and possessions: for which he giving Hostages to Caesar; he thereupon returning into Britain routed Cassibelan and his whole Army by Androgeus his means, and besieged him in a steep mountain to which he fled, where he was very likely to be taken prisoner in a few dayes by famine. Cassibelan thus distressed, sent to Androgeus, to remit the former injuries he had done him, and to make his peace with Caesar. Upon which he returning to himself, taking pity on his own nation, and Sovereign, though he had done him so much injury, repaired and used these memorable words to Caesar.

Behold thou hast sufficienily revenged thy self upon Cassibelan, and subjected Britain to thee by my assistance; *Noluerunt dii omnipotentes nostri, ut Dominum meum morte-*
tut-

turpissima condemnari, aut vinculis patiar irretiri. *Haec igitur misericordiam de eo; Quia me bibente ipse periclitari non poterit, cui auxilium meum reddere non erubescam, nisi consilio meo parueris.* For our omnipotent Gods will not that I should suffer my Lord and King to be condemned to a most shamefull death; or to be bound in Chaines. Have mercy therefore upon him; because whiles I live he shall not be in danger, to whom I will not be ashamed to contribute my aide, unlesse thou wilt obey my counsell. (O the memorable faith and Loyalty of this much oppressed, injured Noble Pagan Briton, to his Sovereign in his distresses, notwithstanding all his former injuries and oppressions, worthy all heroick Saints and true Christian Loyall English Subjects imitation, and shaming some strange extravagant contrary practises of late times!) Upon which speech, *Cesar* being pacified, made this agreement with *Cassibelan*: That he should promise to render to *Cesar* and the Romans, three thousand pounds of silver every year, by way of Tribute. And so being made friends they bestowed mutuall gifts on each other. After which *Cesar* wintering in the *Island*, returned in the Spring with his Army into *France*, and from thence marched towards *Rome* against *Pompey*.

From these few passages of the ancient Britons, before and till the *Roman* Conquest, it is apparent;

1. That the ancient Fundamentall Government of the Britons in this Island, was only an Hereditary King-ship and Dominion. And although, about *Cesars* time, they had many petty Kings and Kingdomes, yet those Kings had the style, honor, power of Kings, within their respective Kingdomes, and were hereditary, as *Tacitus*, *Dion*, and others cited by (q) Mr. *Camden* attest, as well as our British stories.

2. That the British Kings were obliged to governe their subjects justly, and righteously, according to the established Lawes of those times, which secured their Liber-

(q) See *Camd. Brit.* p. 15, 29, 30, 32, 35, 41, 43, 44, 48, to 53. *Speed Hist.* p. 47, to 51. *Dr. Usher de Brit. Eccles. Primordii* c. 4.

ties, Properties, Goods, Lives against all violence and arbitrary Tyranny, Rapines, Taxes.

(r) See *Camd.*
Brit. p. 15, 30.

3. That the (r) Britons had their nationall Councils or Parliaments, consisting of their Kings, Princes and Nobles, wherein they consulted of all weighty affaires, concluded of Warre and Peace, and enacted and confirmed publick Lawes. And the rarity of these Common-Councils (by reason of their intestine discords) was the greatest help and advantage the Romans had to conquer them, as Tacitus observes in the life of Agricola.

4. That they had Legall and proper Courts for trying all differences and malefactors according to their Lawes and ancient Customes and tryals by their Peers.

5. That they were very zealous, carefull and courageous to defend their Liberties, Properties, Laws against all Tyrannicall oppressing Kings, Usurpations and forain Invaders, and to spend their lives in their defence, not induring Slavery, Bondage, or Tributes.

6. That their Nobles were persons of greatest power, had in great respect, and consulted with by their Kings upon all occasions, as their Great Councell, they doing nothing of moment but by their advice and consent.

7. That though they were stout opposers of Tyrannicall oppressing Princes, yet they were very Loyall and obedient to those who were just, and never offered violence to any of their persons, whom they deposed for misgovernment. And so much concerning the ancient Britons before and till their begun Conquest by Julius Caesar, before our Saviours Nativity 54. years.

SECTION

SECTION II.

Concerning the Britons Contests and Warres against Tyrants and forain Invaders for their Liberties, Country, Lawes, and their Great Councils (or Parliaments) from Cæsars Conquests, during the Romans Dominion, and untill the Saxons supplanted them, and succeeded in their places.

AFTER the death of *Cæsar* and *Cassibelan* the Britons continuing for a time under the Government of their own hereditary Kings * *Tennancius* the next succeeding King, though he was warlike, yet *vigorem Justitiæ colebat*, he executed Justice vigorously. *Kymbelinus* his Son succeeding him, being educated by *Augustus Cæsar*, fell into so great friendship with the Romans, *ut cum possit Tributum eorum detinere, gratis impendebat*; that he freely bestowed their Tribute on them, when as he might have detained it, being imposed on *Cassibelan* only by power of the invading sword of *Cæsar* without right, which bound neither him nor the Britons in Justice or conscience, both *Cæsar* and *Cassibelan* being dead. In the 5. year of his Reign our Saviour Christ was borne.

In the † 22 year of our Saviours Nativity *Guiderius* succeeding his Father *Kymbelinus*, refused to render the accustomed tribute to the Romans, which none of his Ancestors from the time of *Julius Cæsar* durst to refuse. Hereupon Anno Christi 44. the Emperor *Claudius* with a great Army invaded the Island, to conquer and reduce it under Tribute, who was encountred and routed by *Guiderius* at the first, but he being afterwards slain by the policy

* *Galfr. Mon. hist. l. 4. c. 11.*
Ponticus Virun.
l. 4. & Mat. West.

Anno Dom.
22, 44, 52.
† *Galfr. Mon. l. 4. c. 13. to 17.*
Ponticus Virun.
l. 4. Mat. West.
ann. 22, 44, 52.

policy of *Lælius Hamo*, the Britons being likely to lose the field, *Arviragus* the slain Kings brother, putting on his Armes, encouraged the Britons so, that they forced the Romans to forsake the field. *Claudius* afterwards besieging *Arviragus* (who succeeded his brother) in *Winchester*, they fell to a treaty. *Claudius* proffered *Arviragus*, that he should marry his daughter, and hold the Kingdome of Britain peaceably from the Romans under the ancient Tribute; upon which, *suaserunt majores natu Arvirago promissionibus Claudii acquiescere*; The elders (assembled no doubt in counsell about it) perswaded *Arviragus* to consent to *Claudius* his promises, for they said, it was no disgrace to him to be subject to the Romans, seeing they enjoyed the Empire of the whole world: *Paruit Arviragus, & consilio suorum Cesari subjectionem fecit*: *Arviragus* obeyed, and by the advice of his counsell did homage to *Cesar*. Anno Christi 52. *Arviragus* refused to be any longer subject to the Roman power, or to pay them Tribute. Whereupon *Claudius* sent *Vespasian* to reduce him to obedience; who after one battaile fought with great losse on both sides, came to an agreement. After which * Anno 63. *Joseph of Arimathea* with XI. more of *Phillips Disciples* arrived in Britain, and preached the Gospell boldly; to whose Preaching *Arviragus* (cum proceribus suis) with his Nobles and People, hearing such new and unaccustomed things, utterly refused to consent to their Doctrine, neither would they change the traditions of their Fathers; yet because they came from far, and their lives held forth modesty and meeknesse, the King at their Petition, granted them the Isle of *Glastonbury*, then horrid and untilled, surrounded with woods, bushes and lakes, to inhabit. Which grant his two next successors *Marius* and *Coillus*, † (who exercised Justice and Law, revered the Nobles of the Realme, and paid the Tribute to the Romans, because all the world was subject to them,) by his example confirmed; giving to each of them one hide of Land a piece (to this day called the 12. hides of *Glastonbury*) confirmed to the Abby of *Glastonbury*, after-

* John Trivianth, Malmesb. and others, cited by Bishop Usher de Brit. Eccles. Primordiis c. 4.
Mat. Pa. k. Antii. Brit. p. 354

† Mat West. ann. 73. 78. Galsfr. Mon. l. 4. c. 17.
18. Ponticus Vinnan. l. 4.

afterwards by the *Charters* of many of our *Christian Saxon Kings*, ratified in their great Councils and Parliaments.

By these passages it is clear, That Taxes and Tributes not granted and assented to in Parliament, though imposed by a *Conquering Invader*, binde not the Nation, or succeeding *Kings*. That matters of Peace and Warre were determined in Common-Councils and Parliaments in that age; That no publick change in Religion or Customes could be made without the Kings and Nobles consents; and that the grant of the King of any Crowne Lands without common consent in Parliament, bound not his successors, unlesse they specially confirmed them by their new Charters.

How many bloody Battails with various success the ancient Britons under the conduct of their Kings and Queens fought against the Roman Emperors, Claudius, Vespasian, and their Generals, Officers and Forces after Julius Cæsars time, for defence of their Native Liberties, Rights, Lawes, Government, Country, and to exempt themselves from all Tributes, Taxes, Purveyances, imposed on, or exacted from them by the Romans. How impatient they were of bearing any Taxes or Imposts, they never knowing what Servitude was, being borne only for themselves, and alwayes free unto themselves, free from all contagion of Tyranny. How oft they revolted from, and rebelled against the Romans from time to time for their Oppressions, Taxes, turning them out of their ancient inheritances by force, and using them rather like Slaves then Freeman. You may read at large in Cornelius Tacitus, *Annal.* l. 14. and in the life of Agricola, in Mr. Camdens *Britannia*, p. 24, to 48. Speed, Holinshed and others, and more especially in the notable speeches of Caractacus and Galgacus, encouraging the Britons manfully to fight for their Country, Liberty, Lawes, &c. recorded in these Authors; the later of them thus justly

D

Taxing

(a) Tacitus in
vita Agricola.
Camd. Brit. p. 58

* Is not this
our condition
now?

taxing the Romans Usurpation, Ambition, Covetousnesse, Rapines and Tyranny in these words; (q) Robbers they be of the world, who having left no more land to spoile, now search also the Sea. If their enemies be rich, they covet their wealth; if poor, they seek to gain glory; to * take a tray by main force, to kill and spoile, they falsely terme Empire and Government: when they lay all waste as a *Wildernesse*, that they call Peace. That every man should hold his own children and bloud most dear, nature hath ordained: and even those are pressed for Souldiers and caried away to serbe as Slaves elsewhere; our substance they draw from us for Tribute; our Corne for provision; our very Bodies and Lands they wear out and consume, in paving of Bogs, and ridding of Woods, with a thousand stripes and reproachfull indignities besides. Slaves yet, which be born to bondage, are bought and sold once for all, and afterwards fed and found at their own expences. But Britain daily buyeth, daily feedeth, and is at deayly charge with her own Bondage. And as in a private retinue of household Servants, the fresh man and last comer is laughed and scoffed at by his other fellowes, even so in this old servitude of the whole World, our destruction only is sought, as being the latest and vilest in accompt of all other, &c. We as yet were never touched, never soiled, never subdued; as men therefore that mean to maintain their Freedome, not for the Present but for ever, let us shew straightwayes in the first joyning, what manner of men, Caledonia reserved in store for her self, &c. It is not by their own vertue, but by our jarrings and discords that yet the Romans are grown into fame: to our shame be it spoken, many of our own Nation, now lend their lives to establish a forain Usurper, not out of any loyall affection, but out of fear and terror, weak linkes and bonds of love. Remove but them once, those who shall cease to fear, will soon begin to hate. The free Cities are discontent and in factions, while those who are under them, obey with ill will, and they that do govern, rule against right. Here is the Generall, and here is the Army; there are the Tributes, here be the metall mines, and other miseries inseparably following them that live under the subjection of others; which

which either to continue or endure for ever, it lyeth this day in this field. Wherefore as you are going to Battle, bear in your minds, both the Freedome of your Ancestors, and the Bondage of your Posterity. Upon which Speech they manfully fought with the Romans, preferring their Liberties before their lives.

About the year of Christ 50. the Romans extraordinarily oppressed the Britons under Claudius the Emperor. *Letus Decianus* their Procurator, renewed the confiscation of their goods, which *Claudius* had pardoned. The Roman Colony at *Camolodunum*, thrust out the ancient Inhabitants, seating themselves in their possessions, without any other recompence but reproachfull termes, calling them, their drudges, slaves and vassals, and the Temple there erected in honour of *Claudius*, was now become an eye-sore to them, as an Altar of their perpetuall subjection, whiles the *Augustal* Priests there attending, wasted all their wealth under pretext of Religion. And that which was their greatest grievance, *Prasutagus* King of the *Iceni*, famous for his riches, which he had been a long time gathering, by his will made *Claudius* and his own two daughters his heir; thinking by his flattery to make his Kingdom and house sufficiently secure from Injurie: which fell out quite contrary: for his Kingdome by the Roman Centurions, and his house by Slaves was seised on and spoyled as lawfull booty, his wife *Boadicia* whipped, his Daughters deflowred, the chiefeest persons of that Province dispossessed of their lawfull Inheritance, and the Kings kindred reputed and used as slaves. Hereupon the *Icenians* began seriously to discourse of their present bondage and miseries, made subject to a Lieutenant, which sucked their bloud, and to a Procurator that sought their substance, whiles with a servile fear they yealded to please the meanest Souldier, as though the Heavens had framed them only for servitude, and the earth appointed to bear their injuries unrevenged; and meeting together in secret consultations, they ripped up their wrongs and oppressions, and aggravated them to the highest, saying, that no other good was to be looked for by their sufferance, but that more grievous burdens

An. Dom. 50.
Tacitus Annal. l.
14. Speeds Hist.
of great Brit. p.
66, 1070. *Camd.*
Brit. p. 49 50.

Proposit. 1. 4.

Is not this
Englands con-
dition now?

should be imposed upon them still, as men ready to bear all willingly, &c. That the Roman Souldiers from whose unsatiable avarice and unbridled lust nothing was free, were but a handfull in respect of the Britons: that if they would but endeavour to follow the promise and valour of their Ancestors, and not be dismayed with the doubtfull successe of one skirmish or two, they would soon enforce them to recede out of the Island, &c. In fine they resolved, That Liberty was to be preferred though bought with their lives, and Bondage to be avoided if not otherwise then by their deaths. Whereupon chusing Boadicea for their Leader, they furiously fell upon the insulting oppressing Romans, slew no lesse then seventy thousand of them and their confederates, sacked and plundered their free Town Verolamium, resolving to extirpate and drive them out of the Island. Upon this Suetonius the Roman Governor collecting all the Forces he could raise against her, She made a most gallant encouraging Oration to her Britons, thus aggravating their oppressions. *What abuse can be so vile that we have not suffered, or indignity so contemptible, that we have not borne; my stripes, yet felt and seen against their own Laws, do witnesse well what Government they intend. Your wealth is consumed by their wastfull wantonnesse, your painfull travels upholding their idlenesse, do seal the issues of our succeeding miseries, if not timely prevented by one joyn't endeavour. You that have known the Freedom of life will with me confesse (I am sure) that Liberty (though) in a poor estate, is better then fetters of gold; and yet this comparison hath no correspondency in us, for we now enjoy no estate at all, nothing being ours but what they will leave us, and nothing left us that they can take away; having not so much as our bett heads tole free. Other subdued Nations by death are quit from Bondage, but we after death must live servile and pay tribute even in our graves. Have the heavens made us the ends of the world, and have not assigned us the ends of our wrongs? Or hath nature among all her free works created us only Britons, for bondage? Why, what are the Romans? are they more then men, or immortall? Their slain carcasses sacrificed by us, tell us, they are no Gods. But you will say, they are our Conquerors. Indeed overcome we are, but by our selves, our own factions still giving way to their*

their invasions. Our dissensions have been their only rising, and our designs been weakened by hombred Conspiracies. We have as much to keep as birthright can give us, that is, our Island possessed by our Ancestors from all antiquity; ours by inheritance, theirs by intrusion, claims so different in the scale of Justice, that the Gods themselves must needs redresse. Whereupon the Britons fighting valiantly, lost eighty thousand of their lives to redeem their Liberties; and Boadicea seeing her Army routed, chose rather, out of a noble spirit, to end her life and miseries together by poyson, then to live under the Roman bondage and see her Country languish under their intolerable oppressions.

About the year of our Lord 179. (Or rather 185.) (s) An. Dom. 185. Lucius King of Britain (who succeeded his Father Coillus (s) Mar. west. by descent) being converted to the Christian faith with An. 185. 187. most of his Nobles and Subjects (the first Christian King Galfr. Mon. and Kingdom in the world) petitioned Pope Eleutherius l. 4. c. 19, 20. l. 5. (as the marginall Authors testifie) Ad Petitionem Regis, c. 1. Ponticus et procerum Regni Britannie (assembled no doubt in a Virun. l. 4. & 5. general Councell when they made and sent this Petition) Lambards Archaen. Bishop to send a copy of the Imperial Roman Laws to govern the Jewel reply against Hardng people by: who returned the King this answer in writing. Artic. 3. divis.

You have requested from us, that the Laws of Rome and Cæsar 24. p. 141, 142. might be sent over, which you desire to use in the Realm of Britain. Antiq. Eccl. The Roman and Cæsars Laws we may alwayes reject, but the Brit. p. 5, 6. Fox Law of God in no wise. You have received of late through Gods Acts and Mon. mercy in the Realm of Britain, the law and faith of Christ; yu vol. 1. Spelm. have with you in the Realm both Testaments, out of them by Gods Concil. p. 32, 34. grace, per consilium Regni vestri sume legem, by the Coun- 35 Harisons cell of your Realm take a Law, and by it through the patience of Descrip. of Brit. God govern your Realm of Britain; For you are Gods Vicar in l. 1. c. 9. Godwin the Realm, &c. The Kings children are the Christian Nations Conversion of Brit. Dr. Usher who live and consist in the Realm under your protection and peace, de Eccles. Brit. according to that in the Gospell, As the hen gathereth the Primordis c. 3, chickens under her wings; the Nations and people of the 4. 5. Holirshed, Realm are yours, which being divided you ought to congregare into Speed, Grafton, one, to reduce to concord and peace, and to the faith and Law of Stow in the life of Lucius. Proposit. 5.

and always to defend from injurious and malicious persons and from enemies. Woe to the Realm whose King is a childe, and whose Princes eat in the morning. I call not a King a child from his Nonage, but for his folly, iniquity and madnesse, according to the royall Prophet, Bloudy and deceitfull men shall not live out half their dayes, &c. A King is denominated from ruling, not from a Kingdome. Thou shalt be a King while thou rulest well: which unlesse thou shalt do, the name of a King shall not appear in thee, and thou shalt lose the name of a King, which God forbid. Almighty God grant you so to rule the Realm of Britain, that you may reign for ever with him, whose Vicar you are in the Realm aforesaid.

Proposit. 5.

This Epistle shewes, that the power of making Laws was vested only at that time, in this Popes judgment, in the King and his great Councel of the Realm, and that Kings only ought to rule and govern their people righteously, according to the Laws of God and the Realm, as Gods Vicars upon earth, and to protect them from all violence, wrong and enemies. (t) Matthew Parker Archbishop of

(t) *Antiq. Eccles. Brit.* p. 6.

Canterbury, thus comments on this Epistle: That in *condendis legibus*, in making Laws, the King needed not the Popes authority or assistance, having the books of the old and new Testament, out of which *adhibito procerum consilio*, by the Councell of his Nobles, he might take holy Laws, without any error, being sufficiently supported with his own, not a forain authority, he being Gods Vicar in his own Realm; and representing his power to his people. After which, this King (by advice and consent of his Princes and Nobles) built and endowed many Churches with Glebes and Lands, abundantly confirming them with Charters and Muniments, and likewise ordained, that Churches and Churchyards should be so free, that no Malefactor or other persons flying to them, should be arrested, or suffer any violence in them.

Proposit. 5.

An. Dom. 201.

(u) *Mat. West.* anno 201.

(x) *Tacitus in vita Agricola.*

Brit. p. 43

King (u) Lucius dying without heir (Anno Dom. 201) thereupon discord arose amongst the Britons, which gave great advantage to the Romans; who though at first they (x) suffered the British Kings to reign under them, making them the instruments of their own and their peoples slavery, by their compli-

ance

ance with the Romans; yet at last perceiving, that divers of these British Kings, to regain their own and their peoples Liberties, did oft times rebell and raise up warres and seditions against them: Thereupon after King Lucius his death, to keep the Island in greater quietnesse and subjection under them, they made a decree, That none of the British blood or race should from thenceforth be invested with royall dignity in the Isle; (as the principall means to keep them in perpetuall slavery) and instead of one King, they placed over the Britons in every Province First, a Lieutenant with severall * Garrisons of horse and foot, who disarmed all the Natives they suspected, sucked the peoples blood, and vexed them with Souldiers and Contributions. Next a Procurator and Publicans, who like greedy Cormorants and horse-leeches, confiscated their goods, preyed upon their estates, and vexed them with perpetuall exactions, extortions and reproachfull abuses. Also a Pretor and Proconsul, with absolute power and commission to govern them after the Roman Laws, (not permitting them to use the ancient Laws of their Country) and to minister Justice in all capitall matters with great pompe and severity. So that the Roman Lawes were now only in use and force amongst the Britons, which a learned Poet thus expresseth,

Cernitis ignotos Latia sub lege Britannos.

And withall they endeavoured, constantly to nourish discord and division amongst the Britons themselves, and by these wily Policies kept them in subjection under them, who yet upon all occasions and advantages endeavoured to shake off the Roman yoke, and restore their native Liberties, Laws, Government with the hazard of their lives, as our Historians largely relate.

About the year of Christ 286. Carausius a Briton, having gotten a Commission from Rome, to defend the Sea-coasts of Britain from the incursions of barbarous Nations, raising great forces under that pretext, promised the Britons, That if they would chuse him for their King, he would expell the Romans, and free the whole Island from the Barbarians: Whereupon they all consented and made him King; upon which he denied to pay the Romans their accustomed Tribute. The Senate being informed hereof, sent Allectus into Britain to reduce it; who joyning battail with Carausius, slew him, and made a

great

(y) Math. West.
anno 201. Ba-
lams Cent. 1.
Scrip. Brit. c. 30.
Boetius l. 5 hist.
Scotorum. For-
don, Scotick rmi-
con. l. 2. c. 31.
Dr. Vsshe de
Eccles. Brit.
Primordis. c. 3.
p. 43, 44. Spelm.
Concil. p. 35.
Camd. Brit. p.
47, 49, 62, 63.
67, Tacit. 3 An-
nal. l. 14.
* Is not this in
a great part
our present
condition?

An. Dom. 286.
(7) Mar. West.
ann. 292, &c.
Galfr. Monum.
l. 5. c. 3, 4, 5, 6.
Poncius Virun.
l. 5. Holinsbed,
Fabian, Græciæ,
Stow, Speed.

great slaughter of the Britons, because they revolted from the Roman republick, and subjected themselves to Carausius; who preferred their liberties before their lives. *Alelus* taking upon him the royall Diadem was soon after slain with most of his Roman Souldiers by *Asclpiodorus* Duke of Cornwall and the Britons fighting to regain their Liberties; who crowned *Asclpiodorus* King by common consent: He ruled them for X. years with right justice, restraining the cruelty of Plunderers and swords of Robbers, and freed them from the Roman tribute. *Coel* Duke of Colchester slaying him, and making himself King; the Romans having lost their tribute for above ten years space, sent *Constantius* into Britain to reduce it under obedience: who no sooner landed, but *Coel* hearing of his great fame, and victories in other parts, sent Ambassadors to him, craving peace, and promising subjection, which he accepted of, exacting nothing but the usual tribute. *Coel* deceasing shortly after, leaving one only daughter *Helena* to inherit the Kingdom, *Constantius* married and begot upon her that famous *Constantine the Great*.

An. Dom. 302.
(a) *Pomponius*
Latius, and
Speeds History.

Proposit. I.

This Emperor (a) *Constantius Chlorus*, coming into Britain to govern it about the year of Christ 302. finding the ill effects of others tyranny and rapine, shewed himself very loving, gentle, affable and kind to the people, little regarding his private profit, but altogether reigning to enrich his subjects: and to that end would often say, (I would our late and present Tax-imposing Governours would remember it) That it was more behoovefull for the publick, that the wealth of the Land should be dispersed into the Commons hands, then to lie locked up in Princes coffers (or in such a Common Treasury, as our new Projectors have provided for it by the 28, 29. Articles of their Ill-sounding instrument, after which they would have us henceforth dance.)

Anno 313.
(b) See *Beda*
Eccles. hist. l. 1.
c. 6. Math. West.
ann. 313. p. 131.
Gildas de Excid.
Britan. Zonaras,
Paulus, Di-
acronius and o-
thers in his life

The (b) Emperor *Constantine the Great*, his Son (borne and crowned both King and Emperor in Britain) amongst other good Laws, made these two memorable ones, for the relief of poor Christians injuriously banished, and deprived of their Lands, and Goods by *Diocletian*, *Maximinian*, *Licinius* and other persecuting Pagan Roman Emperors, about the year

313. wherein he restored the banished Christians to their native Countries, Lands and former dignities, as the Marginall Authors witness. Which Lawes are recorded in (c) Eusebius de vita Constantini, l. 2. c. 30, 31. The first of them, is intituled, *A Law for freeing (or relieving) banished men*; to this effect. Therefore all those who being brought under the cruell sentences of Judges, at what time soever it befell them, have been compelled to change their Country by exile, because they neglected not what made for the honour of God and Religion, to whom they had consecrated themselves with the whole powers of themselves: All these, I say, being restored both to their hereditary Possessions, and their accustomed tranquillity, may give thanks to God the sifter free of all men. And those who having been deprived of their Goods, & oppressed with the losse of their Estates, have hitherto lived a most contemptible life, these being likewise restored to their former houses, families and goods, may chearfully praise the beneficencie of God, who is best and mightiest. The second inscribed, *A Law reducing those who were banished into Islands*, in these words. Moreover we command, that those who are now detained in Islands against their wills, shall enjoy the benefit of this our provision and care; to wit, that whereas hitherto they have been shut up on every side in the narrow cliffs of mountains, and invironed with the raging waves of the Sea, being now freed from that bitter solitariness, utterly repugnant to the nature of men, they may return again to their most beloved friends. And whereas they have lived a long time in a filthy sordid and odious condition, having obtained a returne, as a sudain and unexpected booty, and being freed from cares and troubles, they may hereafter live a life void of fear, under our Empire.

In the year of grace 376. (d) Octavius King of the Britons An. Dom. 379. dving without issue male, leaving one only daughter, there (d) Math. West. anno 376, 379. fell out a difference among the Britons, to whom they should marry her, with the Kingdome; at last in the year 379. Magnates Britannie, the Nobles of Britain, that they might obtain a firme Peace concluded (no doubt in a generall Councell) to send Embassadors to (e) Hist. Regum Brit. l. 5. c. 9, 10, 11, 12. (f) Hist. Brit. l. 5. See Fabian, Holinshed, thus relate the story. That King Octavius being old and having one only Daughter, questibit a consiliarius suis, demanded of

Proposit. 5. 10. his Counsellors, whom they desired to advance to be King after his decease? Whereupon some of them advised, that he should bestow his daughter, together with the Realm, on some of the Noble Romans, to procure a firme peace. Others advised, that Conan his Nephew should be installed in the royall Throne of the Realm, and his Daughter with gold and silver married to some forain Prince. Whiles these things were debating, Caradoc Duke of Cornwall came in, and gave his advice, that they should invite Maximinian the Senator, descended of British and Roman, as well as royall blood, to come into Britain to marry the Kings Daughter, and with her the Realm, whereby they should enjoy perpetuall Peace. Which Conan for his own interest opposed, but major pars laudabat, the major part of the Nobles approved it, and consented thereunto. Whereupon Caradoc sent his Son Maurice to Maximinian, who related to him, that Octavius being aged and sick, desired nothing more then to finde out such a person of honour, on whom he might bestow his Kingdome with his daughter, *consiliumque a proceribus suis quesivit*; and that he had demanded counsell from his Nobles, To whom he might marry his only daughter, with the Crown; That the Nobles in obedience to his command, *Decrederunt ut tibi Regnum et puella concederetur*, had decreed that the Kingdom with the Damsel should be granted to him, & that they had decreed he should come and give him notice thereof. Whereupon Maximinian imbracing the offer, came into Britain, and landed at Hampton, with a great train of Souldiers; the King supposing them to be an Army of Enemies, commanded all the forces of the Kingdome to be assembled and march against them, under Conan; which Maximinian admiring at, and unable to resist them, sent Embassadors to Conan with olive branches, telling him, they were sent from Rome to the King, and required peace till they knew his pleasure. And when Conan doubted whether to give them Peace or Battaille, Caradoc Duke of Cornwall and the rest of the Nobles dissuaded Conan from fighting with them, and advised him to grant them Peace, which he did: who being brought to London to the King, he, *communi consensu*, by common consent of his Nobles gave his Daughter with the Kingdome to Maximinian.

By which it is apparent, that the King without consent of his Nobles in Parliament, could not dispose of his Daughter and

nd heir to the Crown, nor of his Kingdome to another; That the Nobles in that age, were the Kings great Councell and Parliament of the Nation, and that the major part of them swayed all busineses, in their Councils by the majority of voices: the ends for which I relate it.

In the year 390. (g) *Maximus* the Tyrant King of Britain, Anno 390, &c. invading *Armorica* in France, caried such a multitude of Souldiers (g) *Mal. West.* with him out of Britain, that he left almost all Britain empty of ann. 390, 391, Souldiers and Forces to defend it, carrying all the Souldiers and War- 392, 420, 421, like young men with him, leaving none but unmanly and country 434, 435. *Galfr. Menum. &* people behinde him; and having subdued all *Armorica* that year, he *Ponticus Virun.* styled it little Britain. The next year he sent for one hundred thou- l. 3, & 6. *Pabian,* sand Britons more to people it, and thirty thousand Souldiers out of *Holinshed,* Britain to garrison the Townes, and the next year he sent for *Speed, Grafton,* eleven thousand Virgins, and sixtie thousand other persons, to be *Gildas de Ex-* transported into little Britain; whereby old Britain was almost *citio Brit.* quite dispeopled, and left destitute of all defence. Hereupon *Malmesbur.* the Huns and Picts invaded and infested the Britons very much, *de G. s. Regum* slaying the Britons and wasting their Cities and Towns: the *Angl. l. x. c. i.* Britons sending to *Maximus* for assistance, he sent *Gratianus* a *Camd. Brit.* Senator with two Legions to aide them, who slew many of the enemies, and chased the rest into Islands. Anno 392. *Maximus* being slain at Rome, thereupon *Gratianus* taking upon him the Crown of Britain, made himself King thereof, after which he exercised so great Tyranny towards the Britons, that the common people gathering together slew him. Whereupon the former expelled enemies returning, oppressed and afflicted the Britons very much for a long time. Upon this the Britons, Anno 420, and 421. sent to the Roman Emperors for aide to expell these invaders, which they sent accordingly, but in small proportion, who chasing away the enemies for the present, then encouraging and teaching the Britons how to defend themselves, and make wals and Fortifications to resist their invasions, returned back again by reason of other Warres: Upon this, their former enemies infested them more then formerly. At last, Anno 434. in the 8. year of *Theodosius* the younger, the Romans by occasion of other Warres withdrew all their Souldiers out of Britain, leaving the Britons destitute,

like so many sheep without a Shepherd, exposed to the Wolvish cruelty and depredations of the Picts, Scots, Norwegians, Danes, who forced them to flie from their Cities and Houses into Woods, Mountains, Caves, Rockes, and there to hide themselves from their bloody fury. In this distresse they sent Messengers to Rome with this short mournfull relation of their lamentable condition. *Agitio ter Consuli, Gemitus Britonum, salutem: Nos mare ad Barbaros, & Barbari ad mare propellant: Inter hæc autem duo funerum genera oriuntur, aut enim submergimur, aut jugulamur.* The Messengers returning without any aid from Rome, which was denied them, and relating to their Country men their sad repulse, the Britons taking counsell together, how to redeem themselves in this forlorne estate, withheld the payment of their ancient Tribute to the Romans, which they had a long time paid them: and sent Guithelin, Archbishop of London, to their Brethren in little Britain for aid; where being honorably received by King Androenus, he acquainted him with the cause of his coming, and the great miseries and distresses of his Countrymen, pressing him with many arguments, to goe and receive the Kingdome of Britain, which of right belonged to him, and expelling the Barbarians, to dispose of it at his pleasure, and restore his Country to it pristine estate, which had formerly subdued to it Kingdomes far remote. To which the King answered, I formerly would have accepted of this offer of the Kingdome of Britain, but in respect of its present misfortunes, it is made more contemptible to me, and odious to my Princes. But above all other evils, the Roman power hath so much prejudiced it, that no man can enjoy a stable dignity within it, but he must lose his liberty, and be burdened with a yoke of servitude; and who would not possesse lesse elsewhere, with liberty, then enjoy the wealth of Britain under a yoke of bondage? Notwithstanding because my Grandfather and great Grandfather have enjoyed that Island, I will deliver to you my Brother Constantine with 2000. Souldiers, which by Gods permission will free the Country from enemies, and being there crowned King, shall possesse the Kingdome with glory and honour. Whereupon Constantine undertaking the expedition, the Archbishop used these words to him; Christ hath conquered, Christ reigneth, Christ commandeth, let the grace of Christ be therefore present with our King

of

Anno 434.

Proposit. 5. 9.

Ann 0455.

of Britain, who is our defence, our hope, our joy, that he may restore the miserable Island to its pristine liberty. Constantine taking shipping arrived at *Toumes* with 2000. Souldiers, to whom the dispersed Britons creeping forth of their holes and dens where they hid themselves, repaired from all parts; and fighting with their enemies, obtained a great victory over them by the diligence and valour of their new King. After which facta in *Cicestria* concione, calling an assembly at *Chichester*, they made *Constantine* King, and gave him a wife extracted out of the lineage of the noble Romans educated by *Guithelin*. Proposic. 5.

Anno 445. King *Constantine* being slain by a *Pict*, (suborned by *Vortigerne*) as he was hunting, there arose a dissension among the Nobles, which of them should be made King; for *Aurelius Ambrosius* and *Uther*, the Kings Sons, were sent over into little Britain to be educated, and if they had been present, they could not reign by reason of their childhood. Whereupon *Vortigerne* Confull of the *Gewissi*, who aspired after the Crown with all his endeavour, going to *Winchester*, and taking *Conslans* a Monk (Son of *Constantine*) out of his Cloister, brought him to London, and there made him King, the people scarce consenting to it, because he was a Monk: and acting the part of a Bishop (*Guithelin* being dead) he set the Crown on the Kings head with his own hands. The King thus crowned referred the managing of all affaires to *Vortigerne* alone * who crastily committed all the Castles and Forts of the Realm to his own Souldiers, and having gotten all the Forts and Power of the Realm into his own hands, he cunningly devised, how he might destroy the King and get the Crown for himself. Whereupon, he seized upon the Kings treasures, augmented the number of his Soldiers and servants, and perswaded the King to entertain a Guard of one hundred *Picts* (who were at his own command, and ready to execute any Treason and treachery he should prescribe them) to guard his person day and night from enemies. The King at his perswasion entertaining these *Picts*, *Vortigerne* so enriched them with stipends, and feasted them with most delicate meats, that they did in a manner adore him, and cried openly through the streets, that he was worthy to Reign. When he had thus

An. Dom. 445,
10 498.

(h) Mat. West.
ann. 445. to 448.
will, Malmeb.

de Gestis Regum
l. 1. c. 1. Galf.

Monum. &
Pentecost Virur.

hist. Reg. Brit.
1-6, 7, 8 Henry

Hunt and hist. l.
2. Ethelwerd

hist. l. 2. Antiq.
Eccles. Brit. p. 9,

10. Fabian, Ho-
linshed, Speed.

Grafton, Stow, in
the lives of

Vortigerne &
Aurelius Ambrosius.

* Have not o-
thers of late

times done the
like?

highly ingratiated himself in the favour of them all, he made them all drunk on a certain day, and then told them with tears, that he would depart out of Britain, seeing he had not enough of his own to maintain 50. Souldiers. After which, departing as it were sorrowfull to his lodging, he left them drinking in the hall; which the *Picts* hearing of, murmured one to another, saying, *Why do not we slay the Monke, that Vortigerne may enjoy the throne of the Kingdome?* Rising up therefore, being drunke, they made an assault upon the King, and slew him, and brought the Kings head to *Vortigerne*. Which when *Vortigerne* understood, he feigning himself to be very sorrowfull, brake forth into a weeping, that he might palliate the treason committed under the baile of tears. Then calling the Citizens of London together, he acquainted them what had hapned, and commanded those *Picts* to be slain and beheaded, that he might render his own fraud excused from this wicked act. At last when he saw no man equal to himself, he set the Crown of Britain on his own head and overthrew al the Princes. He being thus advanced, the contagion of all wickednesse began to increase: scurrilous wickednesse, hatred of truth, contempt of God, wrangling, contention, riot, villany grew outrageous; so as *Vortigerne* alone might seem to be a vessell of all wickednesse, and that which is most contrary to royall honesty, *Populares Depressions*, depressing the Nobles, and advancing ignoble persons both for manners and bloud, he became odious to God and Men. Anno 447. When the iniquity and levity of minde of King *Vortigerne* was divulged to all Nations round about, the *Scots* and the *Picts* (one hundred of whose fellow Citizens *Vortigerne* had slain for that Treason which he suborned them to act that he might get the Crown) rose up against him, and most grievously infested him and impugned the Realm of Britain: for consuming all things with the sword, fire, preyes and rapines, they ground to powder the sinfull Nation, because it favored this Usurpers royall estate; and thus the common people contaminated together with the King, *communi percellitur ultione*, is pierced through with a common rebenge. And as the sword devoured many on the one hand, so the Pestilence did more on the other,

Anno 447.

ther, so as the living were not sufficient to bury the dead. The King therefore with the desolated people, tyred out with warlike incursions, not knowing what he might do against the irruptions of their enemies, inclined to desolation; for Vortigern hereupon awaked with the cries of the people, assembled a Councell (or Parliament) to consult what they should do in this publick distresse, requiring the advice of his Nobles therein. Which our Historians thus relate, *Super statu publico in medium consulit sententias magnatum suorum explozans.* So William of Malmesbury. *Britanni inierunt consilium quid agendum;* so Henry Huntington; and Ethelwerdus, *placuit omnibus cum rege suo Mortigerino;* or as Ethelwardus records it, *Concessit tota Nobilitas, &c.* At last they all agreed, and all the Nobility together with King Vortigern granted and resolved, that they should call in the Saxons and English out of Germany to their aid, being valiant in armes, and then fixed in no settled place; by which they conceived they should reape a double benefit: for being invincible in armes, they would easily repulse their enemies; and being unsettled, they would reckon it for a very great benefit if they might receive some barren squalid soile and cliffs to inhabit; and that they would never attempt any thing against them, or their Country, because the memory of benefits would mollifie the genuine fiercenesse of their manners. Which advice appeares to be ordered by divine providence (write Mathew Westminster and others) that evill might come upon these evill Britons and their bloody Usurper. This Counsell being approved by all, they sent eminent men Embassadors into Germany, who might worthily represent the person of their Country. The Germans hearing the businesse, which they of their own accords desired, requested from them with a thousand intreaties, presently sent over Hengist and Horsa with three Ships freighted with Souldiers and Armes; *Expleties petitionem Regis Senatusque.* The King upon their arrivall meets them, bestowes rewards and the people large favours on them: then giving them their faith, they received the Isle of Tanesh to inhabit. This agreement likewise was made be-

tween them, That the English and Saxons with invincible labours should defend the Country against their enemies, and that the Britons should pay them their military stipends, for whose safety they pretended to watch. And thus they received pay and Lands from the Britons, Quasi pro patria pugnaturi, re autem vera expugnaturi susceperunt, (as some of their profession and progeny have done of latter years) These English and Saxons (who arrived Ann. 449.) soon vanquished and drove the Scots and Picts out of the Realme, and then taking notice of the Kings and Britons idlenesse, leudnesse, and the riches of the Isle, Hengist acquainting the rest of his Countrymen therewith, sent over for more forces by degrees, and for his daughter Rowena (a very beautifull maide but a Pagan) whom he married to Vortigerne, whereby he incurred the enmity of his Nobles and Sons, and thereupon favoured the Saxons (who promised to establish him in his Throne against his enemies) more then the Britons, bestowing all Kent and Northumberland on the English and Saxons. Upon this the Britons growing jealous lest their new Gardians and Protectors should utterly supplant, extirpate and disinherite them of their native Country by degrees (as they did in the conclusion) they all petitioned Vortigerne, to banish them out of the Realme, being Pagans, who ought not to communicate with Christians; but he contemning suorum consiliis acquiescere, to follow the advise of his Nobles and native Subjects, thereupon Magnates Britannie, the Nobles of Britaine, Anno 454. deserting, and then depriving Vortigerne of his Royall Power, made his Sonne Mortimer King. Qui consiliis suorum in omnibus acquiescens, who following their Counsels in all things, began to expell the Saxons, and to restore the Britons to their possessions, which the Saxons had invaded, repairing likewise the Churches and Christian Religion, which they had almost quite ruined, till at last he was paysoned by Rowena his Mother in Law, Anno 460. cum quo simul spes & victoria Britonum est extincta, & retro fluxerint. Such an incomparable losse,

is

Anno 449.

Anno 454.

Proposit. 5.

Anno 460.

is a good King to a Nation. *Vortimer* being thus poysoned, *Vortigern* reassuming the Crown, sends privately to *Hengist* into Germany, to come over to him with a small train, lest coming otherwise the Britons should resist him with their united forces. *Hengist* An. 461. lands with 4000 armed men, which being related to *Vortigern* and THE NOBLES OF THE REALM, they were very angry at it, resolving to give him battle; of which *Hengist* being informed by *Rowna*, excused the matter, that he came with so great a force for fear of *Vortimer*, whom he thought to be alive, but being now assured of his death, he would commit himself and his people to the Kings disposal, to return or send away so many of them as he should direct, desiring him to appoint a meeting at a prefixed day and place, U^t HÆC FIRMARENTUR COMMUNI CONSENSU that these Proposit. 9. things might be confirmed by common consent: Whereupon the King and his NOBLES appointed a meeting at *Ambr*, in May, for the Britons and Saxons to treat: *Hengist* treacherously commanded all the Saxons that went to the Treaty, to carry long Knives under their Garments, and upon a Signall given by him, that every one of them should kill the Briton that stood next him: Whiles they were treating, *Hengist* took hold of *Vortigern*'s cloke (which was the signall) upon which the Saxons drawing out their Knives, suddenly slew about 460 of the BRITISH NOBLES, BARONS, and * CONSULS, being unarmed, and suspecting * Whom we usually now call Earls no such thing; but Consul *Eldol*, beholding the Treachery, took up a Stake, which he there found by chance, and with it slew 70. Saxons, till his Stake was quite spent, and then saved himself by flight. The King they took Prisoner, enforcing him to grant them Kent, Suffex, Suffolke, and Norfolke, which he confirmed to them with an Oath, and then they released him: After which they rusted most of the Kingdom with fire and sword, pulled down Churches, slew the Priests, burned up the Bookes of the holy Scripture, leaving nothing undone, that Tyranny could effect, and forced *Vortigern*, with most of the Britons, to retire into Wales for shelter in the Mountaines. The Britons thus distressed by the Saxons under this bloody

Usurper (who first called them in, and under hand encouraged them against the Natives) Anno 464. sent Messengers into Little Brittain to *Aurelius Ambrosius* and *Uter Pendragon* (then of full age, and right heires to the Crown) to come speedily over to them, with what forces they could raise, to expell the Saxons, and the Usurper *Vortigerne*, and receive the Crown and Kingdome of Brittain, of right belonging to them: Who thereupon arriving with great forces, Anno 466 the Britons repair'd from all parts to *Aurelius Ambrosius* (the elder Brother) and assembling the Clergy, forthwith crowned him for their King. Which done, the Britons exhorting him, in the first place, to assault the Saxons; the King mindfull of the Treason done to his Father and Brother by *Vortigerne*, refused to doe it, till he had first destroyed this bloody Traytor: Whereupon marching with his Army to *Gencrium* a Castle in Wales, wherein *Vortigerne* was, he spake thus to his Captaines. Consider most noble Captaines; if these walls of this Tower can protect *Vortigerne*, who hath wasted a fertile Country, destroyed holy Churches, almost deleted Christianity from Sea to Sea, and that which I think is more to be lamented, HATH BETRAYED MY FATHER and BROTHER. Now most Noble Countrymen play the Men, and in the first place revenge your selves on him, by whom all these things have come to passe, and after that turn your armes upon your Saxon Enemies. Presently upon these words, they endeavoured to throw down the Walls with divers Engines. At last when other things failed, they put fire to the wooden Walls, which taking hold on them, burnt both the Tower and *Vortigerne* to ashes, as some record: whereas others write, it was done with fire and lightning then sent from heaven by God upon him. The bloody Usurper being thus destroyed; this King and the Britons valiantly encountred the Saxons, slew many thousands of them in sundry battles against *Hengist* and *Ella*, whom they routed and chased throughout the Realm. This King in his march, finding the Churches everywhere destroyed to the ground by the Saxons, Anno 468. sent for Work-men, and caused them to be new built, placed

placed Presbyters and Clerkes in them, restored divine Service to its due state, utterly destroyed the prophane Temples and Idols of the Saxons, blotting out their memory from under heaven: Moreover, he studied and commanded to observe Justice and Peace to Churches and Church-men, conferring many Gifts on them, out of his Royall bounty, with ample Rents; commanding all to pray for the prosperity of the Realm and State of the Church. The year following, by his Letters directed to all the Coasts of Britain, he commanded all who could bear Armes speedily to repair to him, and to endeavour to exterminate the Pagans out of the confines of Britain. Whereupon all of them being assembled together, he marched with them against Hengist and the Saxons; after a bloody battell Hengist was taken Prisoner by Duke Eldol (fore-mentioned) and his whole Army routed. The King upon this victory, coming to Gloucester, calling his Captains and Nobles together, commanded them to resolve, **WHAT OUGHT TO BE DONE CONCERNING HENGIST?** upon which Eldad Bishop of Gloucester, brother to Duke Eldol, commanding all to be silent, grinding his teeth for anger, said: *Although all would set this man free, yet I will hew him into peices. O effeminate men, why doe yee demurre? Did not Samuel the Prophet, when he bewed the King of Amaleck, taken in warre, in peices, say, As thou hast made many Mothers childlesse, so will I this day make thy Mother childlesse among women? So doe yee likewise concerning this ester Agag, who hath bereaved many Mothers of their Children.* Upon which words, Eldol drawing forth his sword, led Hengist out of the City, and cutting off his head, sent him packing to hell. After this **CONVOCAVIT REX CONSULES ET PRINCIPES REGNI EBORACUM**, The King called the Consuls and Nobles of the Realm together to York, and commanded them to repair the Churches the Saxons had destroyed, himself building the Cathedrall there. Then marching to London Anno 490. Osta and the other Saxons unable to withstand his power, submitted to him, confessing his God to be stronger than their Gods; with whom he made this agreement, that they should leave Kent, and those other

Proposition 3.

Proposition 9.

Proposition 5, 6

places they possessed, and seat themselves in a Country near Scotland, which he gave them. Then going to Ambri, he caused great stones (there remaining to this day) to be set up as a Monument, for the Noble Britons there treacherously slain. Where he holding A COUNCIL WITH HIS BISHOPS, ABBOTS and OTHER NOBLES, was Crowned again on *Weisunday*, and granted the Metropolitcal Sea of *Yerk*, then void, to *Sampsen* and that of the City of *London* to *Dubriins*. and likewise *REGNUM DISPOUIT, LEGESQUE RENOVAVIT*; set the Kingdomes in order, and renewed the Lawes. After this he and the Britons had many battles with the Saxons, to defend and recover their Country, Liberties, Lawes; till at last he was traytiously poisoned Anno 497. whose death the Britons lamented, *cum quo simul MILITIA ET GLORIA BRITONUM EXPIRAVIT*, as *Mathew Westminster*, and others write,

From this memorable Story of *Verigerne*, *Aurelius Ambrosius*, and the Britons, and Saxons, these particulars are observable.

1. That the British Kings in those times, debated all their weighty affaires, and concluded all matters touching Warre, Peace, and the publick defence of the Realm against invading Enemies, in Grand Parliamentary Councils, in which they likewise made Laws and Edicts

2. That the Princes, Dukes and Nobles were the onely or principle Members of the *Great Councils of the Realm* in those dayes, By whose advice all things were managed.

3. That Traytors to and Murderers of their lawfull Soveraignes, usurping their Crownes, bring commonly great fearful Judgements on the whole Kingdome and Nation, in case they comply with them therein.

4. That *Verigerne's* Treason in murdering his Soveraignes, and usurping their Crown, was the occasion of, and punished with the long-lasting Warres with the *Picts* and *Saxons*; yea, the original cause of the great revolution

of

of the Government, Kingdome and Country of *Britain* from the *Britons* to the *Saxons*.

5. That although a bloody usurping Traytor may reign and deprive the right heir of the Crown of his right for many yeares, yet his reign is usually full of warres, vexations, dangers, troubles, his end tragicall, and the right heir called in and restored by the people themselves at last, as here *Aurelius Ambrasi* was after 21. yeares usurpation of his right: and *Joash* in the seventh year of *Athaliah's* usurpation, 2 *Chron.* 23.

6. That usurpers are apt to depreesse the Nobility, and oppresse the Natives of the Realme, for fear they should oppose their Tyranny and dethrone them.

7. That all Heresies, vices, contempt of God and Religion, usually spring up and overspread the Realm under Usurpers, who give public countenance to them to please all sides, to support unjust authority over them.

8. That it is (i) very dangerous to call in forraign Forces upon any necessity into a Kingdome as assistants, who commonly prove worse Enemies in conclusion, than those they are called in to oppose. (i) See *Haylins Microcosme*. p. 756, 757, 718, 394, 412, 5, 7, 177, 178, 642, 672, 709.

9. That all Mercenary Guards and Souldiers (especially Forraign) are for the most part very Treacherous and Perfidious, usually suppressing, supplanting, destroying their princes and Nations they are hired to guard and protect.

10. That lawful hereditary Kings are the cheifest Patrons of Gods Ministers, Churches, Religion; and the death of such (when religious, just, valient) the greatest losse and misery that can befall a Nation.

11. That all Subjects are obliged to defend with their armes and lives, their Native Country and lawful Kings against Invaders and Usurpers.

12. That the worst of Kings and Usurpers, in cases of extreame danger, are enforced to call Common Councils, and to crave the advice and assistance of their Nobles (as *Vortigerno* did here) as well as the justest Kings.

Anno Dom. 498. 497. (k) Uther Pendragon his Brother, and next heir, (k Galfr. Mon. 1.8 c. 17, 18, &c. Math. Westm. An. 497 &c. Authors. Proposit. 5, 9. Aurelius Ambrosius dying by poison, without Issue, Anno 498. 497. (k) Uther Pendragon his Brother, and next heir, posting to Winchest^r, assembled the Clergy and People of the Realm thither, and took upon him the Crown of the Realm; which done, *PRÆCEPIT Uther CONSULES SUOS ATQUE PRINCIPES AD SE VOCARI, UT CONSILIO SUORUM TRACTARET, QUALITER IN HOSTES IRRUPTIONEM FACERENT:* Uther commanded his Consuls and Nobles to be called to him, that by their advice he might debate, in what manner they should assault the Enemies. whereupon they all assembling in the Kings presence, upon mature debates, they all agreed to the advice there propounded by Gorlois; and encountring the Saxons, slew many of them, routed the rest, took some cheif Commanders Prisoners, and put them in Prison at London, whether the King repaired. The feast of Easter approaching, *REX PRÆCEPIT PROCERIBUS REGNI IBI CONVENIRE.* The King commanded all the Nobles of the Realm to assemble TOGETHER AT LONDON, that wearing his Crown, he might celebrate the holy day with due honour. ALL PRESENTLY OBEYED, and the King celebrated the Festivity with joy. Among other Nobles, Gorlois Duke of Cornwall was present. The King not long after being taken with a great sicknesse, Osta and Osa, the Saxon Generals, bribing their Keepers, escaped out of Prison, and then collecting all their forces, resolved to extirpate the Britons and Christian Religion out of the Island; in pursuance whereof, they wasted the Land from Sea to Sea, sparing neither Bishops, nor Churches, overturning all places without resistance. The Britons deserting their sick King, fled into Woods and Caves, refusing to follow the Counsel and Conduct of Consul Lotho, a most valiant man, whom the King had made Generall of his Forces. Hereupon King Uther being much grieved for the Subversion of the Realm, the Oppression of the Church, the Desolation of the Nobles, and Dispersion of the People. Anno 512. *CONVOCATIS OMNIBUS REGNI*

NI SUI MAGNATIBUS, calling together all the Nobles of his Realm (in a General Parliamentary Council) sharply reproved them both for their Pride and Slothfulnesse, and casting out many bitter words with reproach's against them, informed them, that he himself would lead them against the Enemies, that so he might reduce the minds of them all to their pristine state and audacity. And commanding himself to be carried in his sick bed in a Litter into the Camp, (his infirmity not permitting him to be carried otherwise) he marched therein with all the strength of the Kingdome against the Enemies, who scorned to fight with him being sick in his Litter, and at last forcing them to fight, after many bloody encounters, utterly routed their forces, and slew *Olla* and *Osa* their Generals.

Anno 516. (k) The Saxons treacherously poisoning this Noble King, the Bishops, Clergy and People of the Realm assembling together, buried him honourably at *Ambri*, within the *Quire of Giants*. The funeral being ended, *Dubricus*, the Arch-Bishop, SOCIATIS SIBI EPISCOPIS ET MAGNATIBUS, associating the Bishops and Nobles to him, magnificently advanced his Son *Arthur* (a youth but sixteen yeares old) to be King; to which Solemnity, CONVENERUNT EX DIVERSIS PROVINCIIS PROCERES BRITTANNORUM, the Nobles of the Britons assembled out of divers Provinces to *Caerleon*, and there crowned King *Arthur*; who having routed the Saxons in twelve severall Battles; afterwards (if we believe our British Fables, as *Malmesbury* styles them) conquered all *France*, and keeping his Court at *Paris*, CONVOCATIS CLERO ET POPULO STATUM REGNI PACE ET LEGE CONFIRMAVIT. Whence returning into *Britain* in triumph, about the year 536, Pentecost approaching, he resolved to keep that Solemnity at *Caer-Leon*, and there to be new Crowned. Whereupon he sent Messengers into all the Kingdomes and Countries subject to him, inviting ALL THE KINGS, DUKES and NOBLES SUBJECT TO HIM, TO COME TOGETHER TO THAT SOLEMNITY, that he might

Propos. 5. 9.

Anno 516.

(k) Galfr.

Monum; Hist.

Reg. Brit. l. 9.

c. 10 to 20. &

l. 10. c. 1. to 14.

Math. Westm.

an. 525, 537.

Walsingham

Hist Anglia,

p. 50 Speeds

History p. 273.

Propos. 5. 6, 9.

revive a most firm Peace between them. Where upon no lesse
 than thirteen Kings, three Arch Bishops, with sundry PRIN-
 CES, DUKES, CONSULS, EARLES and NO-
 BLES there assembled, whose names you may read at large
 in *Geoffrey Monmouth*. The King being solemnly crowned
 by *Dubricius* Arch-Bishop of *Caer-Lleon*, in the midst of
 the Feasts, Sports and Merriments held at this Coronation,
 behold twelve-men of mature age, of reverend counte-
 nance, bringing Olive branches in their right hands in to-
 ken of their Embassy, with grave paces came to the King,
 and having saluted him, presented him with Letters from
Lucius Tiberius, Procurator of the Roman Republi^k, to
 this effect: *I exceedingly admire the frowardnesse of thy Ty-*
ranny, and the Injury thou hast done to Rome, that going out
of thy self, thou refusest to acknowledge her, neither dost thou
consider what it is to offend the Senate by unjust actions, to whom
thou art not ignorant, the whole world oweth Service. For thou
 hast presumed to detain **THE TRIBUTE OF BRI-**
TAIN, which **THE SENATE COMMANDED**
THEE TO PAY, because *Caius Julius* and other Ro-
 mane Emperours have enjoyed it for a long time, neglecting the
 command of so great an Order. Thou hast taken away from
 them the Province of the Switzers, and all the Isles of the
 Ocean, whose Kings, whiles the Roman power prevailed in those
 parts, paid Tribute to our Ancestors. Now because the Senate
 hath decreed, to demand Justice concerning so great heapes of
 thy injuries, I command thee to repair to Rome, to answer them
 on the midst of August the year following, the time prefixed to
 thee; that satisfying thy Lords, thou maist submit to that sen-
 tence, which their Justice shall pronounce. But if thou re-
 fuseth, I myself will come in person into thy Quarters, and will
 endeavour to restore by the Sword, what ever thy frenzy hath
 taken away from the Republi^k. This Letter being read in
 the presence of all the Kings and Nobles present, King
 Arthur went apart with them, to consult concerning this busi-
 nesse: where craving their unanimous advise, and sense con-
 cerning these Mandates; He said: That he thought the in-
 quietation of *Lucius* was not much to be feared, since ex irra-
 tionabile

tionabile causa, from an unreasonable cause he exacted the Tribute, which he desired to have out of Britain: For he saith, that it ought to be given to him, because it was paid to Julius Cæsar, and the rest of his Successors, who invited by the divisions of the old Britons, arrived with an Army in Britain, and BY FORCE and VIOLENCE SUBJECTED THE COUNTRY TO THEIR POWER; SHAKEN WITH DOMESTICK COMMOTIONS. Now because they obtained it in this manner; *Vestigal ex ea INJUSTE RECEPERUNT*, They RECEIVED TRIBUTE OUT OF IT, unjustly. *Nihil enim od vi & violentia acquiritur, iuste ab ullo possidetur qui violentiam intulit. Irrationabilem ergo causam pretendit, qua nos jure sibi tributarios arbitratur, &c.* FOR NOTHING WHICH IS ACQUIRED BY FORCE and VIOLENCE, IS JUSTLY POSSESSED BY ANY MAN WHO HATH OFFERED THE VIOLENCE; Therefore he pretends AN UNREASONABLE CAUSE, whereby he supposeth us of right to be Tributaries to him, Now because he presumes to exact from us, *id quod injustum est*, THAT WHICH IS UNJUST, by the same reason let us demand Tribute of Rome from him, and he which shall become strongest, let him carry away that he desires to have. For if because Julius Cæsar, and the rest of the Roman Emperours, have in times past subdued Britain, he determines, that Tribute ought now to be rendred to him out of it; in like manner I think, that Rome ought now to render Tribute unto us, because my Ancestors have in ancient times obtained it. For Belinus, that most noble King of the Britons, using the assistance of his Brother Brennus Duke of the Allobroges, having hanged up four and twenty of the most Noble Romans in the midst of the market place, took the City, and being taken, possessed it a long time. Moreover Constantine the sonne of Helen and Maximianus, both of them my neer Kinsmen, both of them Kings of Britain, one after the other, obtained the Throne of the Roman Empire. Doe yee thinke therefore, that Tribute is to be demanded by the Romans? Concerning France, or the Collaterall Islands of the Ocean, I am not to answer to them,

seeing they deserted their defence, when we substracted them from their Power. The whole Council of Kings and Nobles present, assenting fully to this his opinion and resolution, promised him their assistance in this cause against the Romans.

Proposition 7.

Whereupon he returned Answer to the Roman Emperours by the said Messengers, **THAT HE WOULD BY NO MEANES RENDER THEM TRIBUTE, NEITHER WOULD HE SUBMIT HIMSELF TO THEIR JUDGEMENT CONCERNING IT, NOR REPAIR TO ROME; yea, that he demanded from them, that which they had decreed, by that their judgement, to demand from him.** And hereupon (some say) he writ this Letter unto the Senate of Rome, in answer of theirs. *Understand among you at Rome, that I am King Arthur of Britain, and FREELY IT HOLD AND SHALL HOLD; and at Rome hastily will I be, not TO GIVE YOU TRUAGE (Tribute) but to have Truage of you. For Constantine that was Helens Son, and others of mine Ancestors, CONQUERED ROME, and thereof were Emperours, and that they had and held, I shall have and hold by Gods grace.* Whereupon Lucius Tiberius, by command of the Senate, raising great forces amongst the Eastern Kings to subdue Britain, was encountred and slain by King Arthur, with all his Roman forces, in the valley of Soisse in France Anno Dom. 537. since which this Tribute was never demanded.

This History (whether true or feigned) as it declares by the Resolution of thirteen Kings, and a great multitude of Princes, Dukes, Nobles, Prelates, Souldiers, that Titles and Tributes gotten by Force, Violence, Conquest, are both irrational, unjust and illegal; So it resolves, That the Matters of Warre, Peace and other great Affaires of the Realm, were determined in Parliament. That the Kings, Princes and Nobles were the onely Parliaments and Parliament men of that age: That the Realm and Kings of England are neither tributary, nor subject, nor responsible to any Forraign Powers, Jurisdctions, or Courts whatsoever; and that no Tribute or Tax can justly be imposed.

imposed on, or exacted from the Inhabitants of this Island, but by their own voluntary Grants and Consents, even by the Lawes and Customes of the Realm in the Britons times; and that whatever Tax or Possession was then gained by force, conquest, or armed power without just right and Title, was both *unjust and unreasonable*. And so ought to be reputed now. *Quod ab initio non valet, tractu temporis non convalescit*, being a Principle in our Law.

I read in the Lawes of *King Edward* before the Conquest, c. 35. in Mr. *Lambards Archaion*, fol. 135, 136. and Sir *Edward Cook* his 7 Report; *Calvins Case*, fol. 6, 7. That this most famous *King Arthur* first invented and enacted this Law, *That all the Princes, Earles, Nobles, Knights, and all Free-men of the Realm of Britain, ought to make and swear fealty to their Lord the King in the full Folkmote or Let, in this form* (commonly used in Leets till within the six yeares last past.) *You shall swear, that from this day forward, you shall be true and faithfull to our Sovereign King Arthur, and HIS HEIRES, and truth and faith you shall bear to him of life, and member, and terrene honour; and you shall neither know nor hear of any ill or dammage intended to him, that you shall not defend. So help you God. And that by Authority of this Law, King Arthur expelled the Saracens* (it should be *Saxons*, for no *Saracens* ever invaded Britain) *and Enemies out of the Realm. And by Authority of this Law, King Etheldred in one and the same day slew all the Danes throughout the whole Realm.* Surely such Oathes of Fealty, Loyalty and Homage are very ancient, as our Histories manifest.

King Arthur being mortally wounded in the battell he fought with his Nephew *Mordred* (who usurped the Crown in his absence) *Mordred* being slain in the fight, *Arthur* despairing of life, gave the Crown of Britain to *Constantine* his Kinsman *Anno Dom. 542.* who, together with the rest of the British Kings, neglecting all Lawes and Justice, warring against each other, and degenerating into Tyrants, Usurpers, Murderers, Perjurious Persons, Oppressors, and

(1) See Ho-
linshed, and
Dr. Usher, de
Britannicarum
Ecclesiarum
Primordiis p.
535. to 547:
Speeds History
p. 275, 276,
277, 278.

thelike, declined daily in their power, the Saxons continually incroaching upon them in all parts, and about the year of our Lord 586: they were quite driven out of their Kingdoms, together with their *British Subjects*, by the Saxons into *Wales, Cornwall, and Little Britain in France*, and reduced to the extremity of all misery, as you may read at large in *Gildas, de Excidio & Conquestu Britanniae*; and (1) others out of him. Who thus describes the Tyrannies and vices of those times. *Ungebantur Reges non per Deum, sed qui ceteris crudeliores extarent; & paulo post ab unctoribus, non pro veri examinatione TRUCIDABANTUR, ALIIS ELECTIS TRUCIORIBUS. Si quis verocorum mitior, & veritate aliquatenus prorsus videretur, in hunc quasi Britanniae Subversorem, omnium odia telaque sine respectu contorquebantur; & omnia qua displicuerint Deo quae placuerint aequali saltem lance pendebantur, si non graviora fuissent displicentia. Sicque agebant cuncta, quae saluti contraria fuerunt, ac si nihil mundo medicina a vero omnium medico largiretur; &c. Ita cuncta veritatis & Justitiae modamina concussa ac subversa sunt, ut eorum, non dicam fastigium, sed ne monumentum quidem in supra dictis propemodum ordinibus apparent, exceptis paucis, & valde paucis, &c. Reges habet Britannia, sed TYRANNOS: Judices habet, sed impios: sepe praedantes & concutientes; sed innocentes: vindicantes & patrocinantes, sed reos & latrones: CREBRO JURANTES, SED PERJURANTES; VOVENTES, & CONTINUO PROPEMODUM mentientes: belligerantes, SED CIVILIA ET INJUSTA BELLA AGENTES; per patriam quidem fures magno-pere insectantes, & eos qui secum ad mensam sedent non solum amantes, sed & munerantes; in sede arbitraturi sedentes, sed raro recti judicii regulam quarentes; innoxii humilesque despicientes, sanguinarios, superbos, parricidas, commanipulares (qui cum ipso nomine certatim defendi sunt) pro ut possunt efferentes; victos plures in carceribus habentes, quos dolo sui potius quam merito proterunt, catenis oncrantes; inter Altaria jurando demorantes, & haec eadem ac si lutulenta paulo post saxa despicientes. Cujus tanti nefandi periculi non ignarus est*

immunda Leana Damnonie tyrannicus Catulus Constantinus.
 Hoc anno post horribile juramenti Sacramentum (quo se de-
 vinxit nequiquam delos civibus, Deo primum, jurequejurando,
 Sanctorum demum choris & Genetrice comitantibus fretis
 facturum) in duarum venerandis matrum sinibus, Ecclesia
 carnalisque sub sancti Abbatis amphibulo, Latera regionum
 teneberrima puerorum, vel praeordia crudeliter duum totidemque
 nutritorum, inter ipsa, ut dixi, sacrosancta Altaria, ne-
 fands ense hastaque prodentibus laceravit, &c. Quid tu quaque
 catule Leonine Aureli Canine agis? Nonne pacem Patrie
 mortiferam ceu serpentem odiens, CIVILIAQUE BEL-
 LA & CREBRAS INJUSTE PRÆDAS SITI-
 ENS anima tua caelestes portas pacis ac refrigerii praecludis?
 Quid tu etiam insularis Draco, MULTORUM TYRAN-
 NORUM DEPULSOR TAM REGNO QUAM
 ETIAM VITA, supradictorum novissime in nostro stylo
 prime in malo, major, multis potentia, simulque malitia, Largior
 in dando, profusior in peccato, robuste armis, sed anima ferocior
 excidiis, Magliceune, in tam vetusto scelerum aramento, sto-
 lide volutaris? Quare tantas peccaminum regie cervici spen-
 te, ut ita dicam, ineluctabiles celsorum seu Montium innectis
 moles? Nonne in primis adolescentie tue annis avunculum
 Regem, cum fortissimis propemodum militibus acerrime ense,
 hasta, igni oppressisti? Parum cogitans propheticum dictum:
 (m) Viri inquitens sanguinum & doli, non dimidiabunt dies
 suos. Quid pro hoc solo retributionis a justo judice sperares (m) Pſal. 34.
 (& si non talia sequerentur, quae secuta sunt) iidem dicente 24.
 per prophetam, (n) Va tibi qui pradaris, nonne & ipse prada- (n) Iſay 33. 1
 beris? & qui occidis, nonne & ipse occideris? & cum desi-
 veris pradari, tunc cades. These finnes brought the ancient
 British Kings, with their Kingdomes and People to ruine.
 Legitur in Libro Gildæ Sapientissimi Britonum, Quod iidem
 Britones, propter Avaritiam & rapinam Principum, propter
 iniquitatem & injuriam Judicum, propter desidiam predica-
 tionis Episcoporum, propter luxuriam & malos mores populi
 Patriam perdidērunt, write Alcuinus and (o) Malmesbu-
 ry. The Lord grant they may not bring our Kingdomes
 and Nations to like ruine and desolation now.

(o) De Gestis
 Regum Angl.
 l. 1. c. 3. p. 28.

(p) Galfr.
Monum. Hist.
l. 12 c. 1, 2, 5.
Specul. Concl.
p. 112.
Proposition 5.

How many bloody Warres and battles the *Britons*, after they were driven out of their Country into the *Welsh Mountaines* by the *Saxons*, fought with them for the defence of their Country, Rights, Liberties, under the conduct of valient *Cadwin*, who after twenty four yeares civill Dissention amongst the *Britons*, and so long an *Inter-regnum*, was (p) by the UNANIMOUS CONSENT OF ALL THE PRINCES and NOBLES OF THE *BRITONS* ASSEMBLED TOGETHER (in a great Parliamentary Councill) AT *LEGECESTER* ELECTED and MADE KING OF THE *BRITONS*; Which *Nobles* and *Counsellors* would not permit him to give way, that *Edwin* the *Saxon*, by his permission, should be crowned King of *Northumberland*: *Aiebant enim CONTRA JUS VETERUMQUE TRADITIONEM ESSE, Insulam unius CORONÆ DUOBUS CORONATIS SUBMITTI DEBERE.*

And after his decease, under *Cadwalllo* his Son, who succeeded him in the Crown; and under famous *Cadwallader*, succeeding *Cadwalllo* his Father in the Kingly Government, by lineall descent; by whose death, both the royall blond, with the Government of the *Britons*, and the very name of Britain it self expired; you may read at large in *Geffrey Monmouth*, *Beda*, *Gildas*, *Malmesbury*, *Huntindon*, (q) *Mathew Westminster*, *Fabian*, *Holinshed*, *Grafton*, *Speed*, and others, being over tedious to relate. The divisions and discords amongst the *British Nobility*, during *Cadwalladers* sicknesse, seconded with eleven yeares sore pestilence, famine and all sorts of miseries, whereby the land became desolate, enforced them to forsake their native Country, and to seek relief in forraign parts. Whereupon the *Saxons* sending for more of their Countrymen into Britain, replenished and planted the vacant Conntry, dispossessing the *Britons* totally of their ancient rightfull Inheritance; which they never since regained: after they had possessed it from *Brute* to *Cadwallader*, for two thousand seventy six yeares, under one hundred and two Kings, as *John Brompton* records in the beginning of his History, ccl. 725.

(q) See Math.
Westm. Anno
74. 811. 853.

And

And this shall suffice concerning the *Britons* Contests and Wars for their Liberties, Laws, Government, Country, Religion, against the *Romans*, *Saxons*, and touching their Great Parliamentary Councils, & Proceedings in them, from *Julius Casars* to the *Saxons* Conquest, and total supplantation of them by Treachery, Violence and the Sword; of which violent Intrusion, *Leland* our famous Antiquary, and Archbishop *Parker* in his *Antiquitates Ecclesie Britannice*, p. 12. give their Censure in point of Conscience; who writing of Pope *Gregories* conversion of the *Pagan Saxons* (who expelled the *Britons*) to the Christian Faith, conclude thus; *Debuerat Gregorius admonuisse Saxones, GENTEM PERFIDAM, ut si sincere Christianissimum admittere vellent, BRITANNIE IMPERIUM, QUOD CONTRA SACRAMENTUM MILITIE PER TYRANNIDEM OCCUPAVERANT, JUSTIS DOMINIS AC POSSESSORIBUS RESTITUERENT.* That is: *Gregory* ought to have admonished the *Saxons*, a PERFIDIOUS NATION, that if they would sincerely embrace Christianity, they then ought to restore the Kingdome of *Britain*, which they had seized upon by Tyranny, against the Oath of their Militia, to the just Lords and Possessors thereof; (a Doctrine fit to be pressed on others now by all our Ministers) which because they neglected to doe, you may read what a divine retaliation their Posterity received from the *Pagan Danes*, in the insuing Sections.

CHAP. III.

SECT. III.

Comprising some remarkable Generall Historicall Collections; proving the limited Power and Pre-rogative of the first Saxons Kings of England, disabled to make any Lawes, Warre, Peace, alienate their Crown Lands, impose any Taxes, Tributes in any Necessity, or kind whatsoever, but in and by common consent in the Generall Parliamentary Councils of their Nobles and Wisemen, which they were obliged to summon upon all occasions, when there was need, and to govern their people justly according to Law. The Saxons proceedings against their Tyrannicall oppressing Kings; and the severe Judgements of God upon some Saxon Subjects, for their Perjury, Treachery, disloyalty, Rebellion against; expulsions, murders of their lawfull Sovereignes, and unrighteous violent disinheriting the Christian Britons by the sword, of their Native Country.

Anno Dom.
586.

(a) *Math.*
Westm. Anno
586. p. 208.
Fabian, Graf-
ton, Holinshed
and others.

THe British Kings and Britons, being for their Tyranny, Perjury, Treachery, Injustice and other sinnes related, reprehended by *Gildas*, driven out and dispossessed of their Royalty and Country by the Saxons (a) they (about the year of our Lord 576.) divided it into seven Kingdomes, and set up seven Kings in severall parts of the Island; who soon after waged civill Warres, and more than civill Warres one with another. These Kings all agreed, utterly to delete the name of Britain, and the memory of the Britons; Whereupon they by common consent ordained. That
the

the Island should not be called Britain from Brute, but England. (b) These Kings were at first elected by the Saxon Nobles and People, to reign over them, to govern the people of God, and TO MAINTAIN and DEFEND THEIR PERSONS and GOODS IN PEACE BY THE RULES OF RIGHT. And at the beginning (so soon as they turned Christians) they made their Kings to swear, that they should maintain the Christian faith with all their power, and GOVERN THEIR PEOPLE BY RIGHT, without respect to any person, and should be SUBJECT TO SUFFER RIGHT AS WELL AS OTHERS OF THE PEOPLE. And although the King ought not to have any Peer in his Land, for as much if he did wrong, or offended against any of his people, he, or any of his Commissioners, should not be both Judge and party, it behoved of RIGHT, THAT THE KING SHOULD HAVE COMPANIONS FOR TO HEAR AND DETERMINE IN PARLIAMENT ALL THE WRITS AND PLAINTS OF THE WRONGS OF THE KING, OF THE QUEEN, AND OF THEIR CHILDREN, and especially of those, OF WHOSE WRONGS ONE COULD NOT HAVE RIGHT OTHER WHERE. And these Companions are now called Counts, after the Latine word Comites; every one of which had at first a Country delivered to him, to guard and defend it from the Enemies; which Country is now called a County, and in Latine Comitatus: and these Counties, together with the Realm, were turned into an Inheritance. So Horne in his Mirrour of Justice, in the reign of King Edward the first.

Prep. 1, 2, 3, 5, 1

(b) Andrew Hornes Mirrour of Justice, c. 1. Sect. 2. p. 7. 8, 9, Malmesbury, Huntingdon, Beda, Eichelwerdus, Holinshed, Speed, and others.

These English Saxons from the first Settlement of their Kingdomes and Monarchies, had no Sovereign Power at all to make, alter, or repeal Lawes, impose Taxes. or alien their Crown Lands, but onely by common consent in General Parliamentary Councils, much lesse to imprison, condemn, exile, out-law any mans person, or to deprive him of his Life, Lands, Goods, Franchises, against the Law, without any Legall triall, as these Subsequent Historicall Collections will at large demonstrate.

Proposition 9. That they had no Power nor Authority to make, alter or repeal any *Laws*, but onely by common advice and consent of their Nobles and Wise-men, in their Great Parliamentary Councils of the Realm, is evident by this passage of our Venerable (c) *Beda*, concerning *Ethelbert* King of *Kent*, the first Christian *Saxon* King and Law-maker:

Anno 605.
(c) *Eccles.*

Hist. Gentis

Anglorum l. 2.

65. *Huntingd*

Hist. l. 3. p. 126

Malmesbury De

Gestis Regum

Angl. l. 1 c. 1.

Chron. Johanni:

Brompton col;

738:

He, about the year of Christ 605. *Inter cetera bona que genti sua consulendo conferebat, etiam Decreta illi, juxta ex-*

65. Huntingd exempla Romanorum, CUM CONSILIO SAPIEN-

Hist. l. 3. p. 126 *TUM CONSTITUIT. Que conscripta Anglorum*

Malmesbury De sermone, hactenus habentur, & observantur ab ea. In quibus

Gestis Regum primitus posuit, qualiter id emendare deberet, qui aliqui rerum

Angl. l. 1 c. 1. *vel Episcopi, vel reliquorum ordinum furto auferant, volens*

Chron. Johanni: *scilicet tuitionem eis, quos, & quorum doctrinam suscep-*

Brompton col; *erat prestare. Malmesbury and Huntingdon write of*

him. *Quin etiam curam extendens in posteros LEGES*

PATRIO SERMONE, TULIT, quibus bonis

præmia decerneret, improbis per remedia meliora occurreret,

NIHIL SUPER ALIQUO NEGOTIO IN-

FUTURUM RELINQUENS AMBIGUUM.

The first Law this Christian King ever made BY THE

COUNCIL OF HIS WISE-MEN, was for God, his

Church and Ministers, to protect them and theirs from

violence (a fore-principium :) and the next for to protect

Great Councils and their Members from Injury: thus re-

corded by (d) Sir Henry Spelman, out of a famous ancient

Manuscript called *Textus Roffensis*.

1. *Quicunque Res Dei vel Ecclesie abstulerit, duodecima*

componat solutione; Episcopi res, undecima solutione; Sacer-

dotis res, nona solutione; Diaconi res, sexta solutione; Clerici

res, trina solutione: Pax Ecclesie violata duplici emende-

tur solutione: Pax (Monachi) duplici etiam solutione.

2. *Si Rex populum suum convocaverit, & hos ILLIC.*

quispiam injuria affecerit, duplex esto emendatio, & præterea 50.

Solidos Regi pendito. Let the forcers of Parliaments consider it.

To these I might subjoyn, all the Ecclesiasticall and Civil

Laws, Canons, Constitutions of all our other Saxon Kings,

before the Normans reign, recorded in Mr. Lambards

Archaion,

(d) *Concil.*

Tom. 1. p. 127.

Proposition 3.

Manuscript

called

Textus

Roffensis.

Proposition 5.

6

Archaion, and scatteringly mentioned in *Beda*, *Ingulphus*, *William of Malmesbury*, *Huntindon*, *Mathew Westminster*, *Florentius Wigorniensis*, *Brompt. Antiquitates Eccl. Britannicae*, *Mr. Seldens* Titles of Honour, *Mr. Fox* Acts and Monuments, with other Antiquaries and Historians, all made, altered, amended, repealed from time to time by common advice and consent in their Great Parliamentary Councils: which, because I have particularly insisted on in my *Antiquity Triumphant over Novelty*, and *Historical Collection* of the ancient Great Councils and Parliaments of England, I shall forbear here to repeat at large, being never yet denied by any, and a truth beyond contradiction.

That our Saxon Kings from their original institution, *Anno 603.* could not alienate or transferre to any other uses (no not *Proposition 10.* to endow Churches, support Gods Worship or Ministers) any of their *Crown Lands*, *Demefnes* or *Revenues*, without common consent of their Nobles and Prelates in their Great Parliamentary Councils, is apparent by the three first Charters we read of granted by (e) *Ethelbert*, the first Christian Saxon King, to the Church of *Peter and Paul in Canterbury*, *Anno Dom. 603* Wherein the King, *CUM* *CONSENSU* *venerabilis Augustini Archiepiscopi* *AC* *PRINCIPUM MEORUM*; by the consent of *Arch-bishop Augustine* and his *Princes*, first gave and granted a parcell of *Land*, of his Right, in the East part of the City of *Canterbury*, to build a Church and Monastery to the honour of *St. Peter*; and after that by a second Charter of the same date, confirmed by his own, the *Arch-bishops* and *Nobles* subscriptions thereto, with the Sign of the Crosse, he gave and granted other *Lands* in *Langeport* to God and his Church; and after that by a third Charter, *Anno 610.* he granted other *Lands* and *Priviledges* to it, as a testimony of his gratitude to God, for his conversion from the Error of false Gods to the worship of the onely true God; adjuring and commanding in the name of the Lord God Almighty, who is the just Judge of all things, that the said *Lands* given to this Church by the said subscribed Charters, should be perpetually confirmed; so that it should not be lawfull for himself, nor for any of his Successors,

(e) *Chronica*
W. Thorne col:
1761, 1762
2123: *Spelm:*
Concilia, p 118,
119, 120, 126
127.
Proposition 7.

Kings or Princes, or for any Secular or Ecclesiasticall Dignity, to defraud the Church of any part thereof. And if any shall attempt to diminish or make void any thing of this Donation, let him be at present separated from the holy Communion of the body and blood of Christ, and in the day of Judgement let him be separated from the fellowship of all the Saints.

The two first of his Charters and Donations to this Church, were approved and confirmed in a Common Council assm^dled by this King at Canterbury, 5. January Anno 605. *Omnium & singulorum approbatione & consensu*, BY THE APPROBATION AND CONSENT OF ALL AND EVERY OF THEM, as you may read at large in Sir Henry Spelman, and William Thorne.

This truth is further abundantly confirmed by the (f) Charter of Immunities of *Withred* King of Kent, granted to the Churches under him, Anno 700. The Charter of *Ethelbald* King of *Mercia* to the Church of *Croyland*, Anno 716. The Charter of King *Ive*, of Lands and Priviledges to the Church of *Glastonbury*, Anno 725. The Charter of King *Offa* of Lands and Priviledges to the Church of *St. Albans*, Anno 794. The Charter of King *Egfred* to the same Church, Anno 797. The Charter of *Bertulph* King of *Mercia* to the Abbot of *Croyland*, made in the Parliamentary Great Council of *Biningdon*, Anno 850. and of *Kingsbury*, Anno 851. (a memorable president recorded at large by Abbot *Ingulphus*, Hist p. 858 to 863.) the Charter of King *Aethelstan* to the Abby of *Malmesbury*, Anno 930. The Charter of King *Edmund* to the Abbot of *Glastonbury*, Anno 944. and of the same *Edmund* to the Abby of *Hyde*, Anno 966. and to the Abby of *Croyland* the same year; and to the Abby of *Malmesbury*, Anno 974. with many other Charters of our Saxon Kings, to Abbies, Bishops and Churches, recorded in *Ingulphus*, *Malmesbury*, *Spelman* and * others; all which were made and confirmed by these Kings, with the consent and approbation of their Bishops, Abbots and Nobles, assembled in their Great Parliamentary Councils, and ratified, confirmed by them, being else void in Law, and repealeable, as appears by the General

(f) *Spelmani*
Council. p. 198,
 227, 228, 334
 407, 427, 428
 435, 441.
Ingulphi Hist.
 p. 851, 853,
 864, &c.
Malmesbury De
Gestis Regum
Angl. l. 1. c. 2.
 l. 2. c. 6. *Math.*
Westm. Anno
 794, 797, 945

* *Chronicon*
Iohan. Brompt.
Chronica W. &
Thorne. Evi-
dentia Ecclesia
Christi Cantur
& Chronologia
Augusti. Can.

rall (g) Council of Kingſten, Anno 838. Wherein the
 Manor of *Mallings* in *Kent*, which King *Baldred* had for-
 merly given to *Chriſts Church* in *Canterbury*, being after-
 wards * *revoked and ſubſtracted from it*, becauſe the Nobles
 offended with the King, would not raiſe that donation, nor ſuffer
 it to remain firm, was reſealed and confirmed to this Church in
 and by this Council (ſpecially ſummoned for that purpoſe)
 by King *Egbert* and his Son *Athelwulfe*, *CONSENTI*
ENTIBUS DEMUM MAGNATIBUS: the Nobles
 now at laſt conſenting to it in this Council, which they reſuſed
 formerly to doe. A clear Evidence of the Noble mens
Negative and Affirmative Voyces to the Saxon Kings grants
 of their Lands and Charters to pious uſes, and of their in-
 validity without their concurrent aſſents thereto. In moſt
 of theſe forecited Charters of our Kings to theſe Churches
 and Monaſteries, it is obſervable, that they exempted them
 and their Lands, *AB OMNIBUS PUBLICIS*
VECTIGALIBUS, ONERIBUS, REGIIS EX-
ACTIONIBUS, ET OPERIBUS, niſi in ſtructioni-
buz Arcium, vel Pontium, que nunquam ullis poſſint Laxari.
 From which notwithstanding King (h) *Ive* exempted the
 Abby of *Glaſtorbury*; and King *Athelwulfe* and *Beorric*
 the Abby of *Croyland*; & *ab expeditione militari*. And
 therefore, as they could not thus exempt them from pub-
 lick Tributes, Burdens, Regal Exactions and Services
 without common conſent in Parliamentary Councils, ſo
 they could not impoſe any publick Tributes, Burdens,
 Exactions or Services on them without common grant and
 conſent in ſuch Councils, (unleſs by ſpecial referrations)
 as I ſhall by enſuing Preſidents moſt fully evidence.

(g) *Spelmanii*
Council: p. 340.
Evidentiæ Ec-
cleſiæ Chriſti
Cantuar: 2018
 * *Sed quia ille*
Rex cum ſiſ
Principibus
non placuit, no-
luerunt domum
ejus permanere
ratum &c.
Propoſiti. 10.

(h) See *Ingl-*
ſhi Hiſt: 853
 864.
Spelmanii Con-
cilii: p. 198,
 227, 228.
Propoſition 3

How carefull the Saxon Nobles and Subjects were from
 the firſt erection of their Kings and Kingdomes in *Eng-*
land, to preſerve their Priviledges, Liberties, Properties,
 Lawes, from the uſurpations, Invaſions, and arbitrary power
 of Tyrannical Kings or Uſurpers, and how unanimous,
 magnanimous they threwed themſelves in their juſt defence,
 will appear by theſe few Preſidents of their Proceed-
 ings againſt their Tyrannicall Oppreſſing Kings, which

I shall muster up together in their Chronologicall Order.

Anno 756. Anno Dom. 756. (i) Sigebert King of the West-Saxons, growing insolent and proud by the Successes of his Predecessors in their Warres, became intolerable to his People, treating them very ill by all kind of meanes, *LEGES QUE ANTECESSORUM SUORUM PROPTER COMMODUM SUUM VEL DEPRAVARET, VEL MUTARET*; endeavouring to deprave or change the Laws of his Ancestors, for his own private luckre, and using *EX-ACTIONS, & CRUELITIES UPON HIS SUBJECTS*, setting aside ALL LAWES. Whereupon his most Noble and Faithful Counsellor Earle Cumbra, lovingly intimating to him, the complaints of all the people, perswaded the King to govern the people committed to his Charge more mildly, and to lay aside his inhumanity, that so he might become amiable to God and man; he thereupon soon after commanded him to be wickedly slain, and becoming afterwards more cruell to the people, augmented his Tyranny. Upon which the rest of the Piers, seeing their State and Lives were every day in danger, and the Common Subjects, WHOSE LAWES WERE THUS VIOLATED, being incensed into fury, all the Nobles and People of his Realm assembling together, rose up against him, and upon provident mature deliberation, AND UNANIMOUS CONSENT OF ALL, they (before he had reigned full two yeares) expelled him out of the Kingdom, and elected and made Kenulphus (sprung from the bloud royall) King in his stead. Whereupon flying into the Woods like a forlorn person for shelter, he was there slain by Cumbra his Swineherd, in revenge of his Masters death. *Ita crudelitas Regis omnem pene Nobilitatem pervagata, in homine ultime sortis stetit, writes Malmesbury.* To which Henry Huntindon adds this memorable observation: *Ecce manifestum Domini Judicium, ecce quomodo Domini justitia non solum in futuro seculo, verum etiam in isto digna meritis recompensat. Eligens namque Reges improbos ad contritionem promeritam subjectorum, alium diu insanire permittit, ut & populus pravus diu vexetur, & Rex pravior in eternum acrius*

acrius crucietur, veluti Ed. Ildum regem Merce prafatum: alium vero cita determinatione preoccupat, ne populus fuis nimia Tyrannide oppreffus non refpiret, & immoderata Principis nequitia, citiffimas ultionis eterne debito panas incurrat, veluti Sigebertum hunc de quo tractamus. Qui quanto nequior extitit, tanto vilius a Subulco interfectus, ad hunc in dolorem tranfiit. Unde Domini iuftitia eterne laus & gloria nunc & femper.

In the (k) year of our Lord 758. the people of the Kingdome of Mercia riling up againft their King Beorn-
red, pro eo quod populum non EQUIT LEGIBUS, fed PER TYRANNIDEM GUBERNARET, bicaufe
 he governed his people not by their JUST LAWES, but by arbitrary Tyranny, they all of them, as well NOBLES as IGNOBLE, affembled together in one, and Offa a moft valiant young man being their Generall, they expelled him out of the Realm: which being accomplished, BY THE UNANIMOUS CONSENT OF ALL, as well Clergy as People, they crowned the faid Offa, King. This Beorn-
red treacheroufly murdered King Ethelbald his Sovereign, whole Captain he was, and then ufurped his Crown, but was himfelf deprived of it, and flain foon after by Offa (who fucceeded him) by divine retaliation.

So (l) Edwin King of Mercia in the year 857. for his Mifgovernment, his defpifing the Wife-men and Nobles of the Realm, who hated his vicious and oppreffive courfes, affecting and foftering ignorant and unrighteous perfons, his forcible expelling the Monkes and others out of their poffeffions by armed men, his banifhing Dunftan into France for reprehending his vices, and other injurious and Tyrannicall Actions againft Law and Right, was utterly forfaken and rejected by all his Subjects, and by the unanimous confent of all, dejected, depofed from his royall Dignity, and his Brother Edgar Elected King in his place, Deo diffante, & annuente populo, by the dictate of God himfelf and the peoples confent, AB OMNI POPULO ELECTUS. as our Hiftorians write.

By thefe Prefidents, pretermittig others, it is apparent, that the ancient Saxons held their Kings Supremacy

Anno 758.
 (k) Math: Weftm: Anno 758; p. 275:
 Huntindou Hift: l. 4.
 Speeds Hiftory p. 254, 367.
 See Fabian, Holinshed, Grafton.
 Propof. 1. 2, 3.

Anno 957.
 (l) Math: Weftm: Anno 957; p. 370.
 Will: Malmesbury De Gefit Regum l. 2, c. 7 p. 55.
 See Huntindou Speed, Holinshed, Grafton, in his Life, and Fabian.
 Chron: Johanni: Brompton col: 863.
 Hen, de Knigh-ton: de luvitibus Angl: l. 2, c. 1.

to be bounded within the rules of Law and Justice; and that they esteemed their Kings to lose both the name and office of Kings, when they ceased to Govern them according to Law and Justice, or exalted themselves above their Lawes and Liberties; which was not onely the ancient Divinity of those former times, as appeares by Pope Eleutherius his fore-

(m) Spelmanni
Concil: p. 622.

(n) See Lam-
bards Archai-
cu. Brompton
col: 761

(o) Spelmanni
Concil: p. 396,
387;
Chron: Iohann:
Brompton col:
841.

ward the Confessor, *Lex* 15. hereafter cited. The Law was the sole Umpire between these Kings and their people; (n) which Law, as no Great man, nor any other in the whole Kingdom might violate or abolish, as I've the great Saxon King confesseth in his Lawes: So the Kings themselves were to submit thereto in all things, as well as their Subjects; Whence (o) *Æthelstan* the Saxon King, in his Prologue to his Lawes, made at the Great Council of Grately, Anno Dom. 928. by the advice of the Arch Bishops, Bishops, Nobles and Wise-men of the Realm, used this memorable expression, as the Law of that age, between King and people; *Ea mihi vos tantum modo comparatis velim, QUÆ IUSTE AC LEGITIME PARARE POSSITIS. Neque enim mihi ad vita usum QUICQUAM INIUSTE ACQUIRI CUPIVERIM. Et exim cum ea ego vobis, LEGE VESTRA omnia benigne largitus sum, ut MEA MIHI VOS ITIDEM CONCEDATIS, prospicite sedulo ne quis vestrum, neve eorum aliquis qui vobis paruerit, offensionem aut divinam, aut nostram concitatis.*

Indeed some of the Saxons, being too much addicted to Faction, Treason, Sedition and Rebellion against their Kings, abused their just Liberties and Priviledges to the unjust murder and destruction of their Kings, especially those of the Kingdom of Northumberland; to prevent which excesses, in the famous Council of (p) Calahuth Anno

Anno 787. 787. held under *Alfweld* King of Northmerland, his Bishops and Nobles, and *Offa* King of Mercians, and his Bishops and Nobles, there were these memorable Lawes and Canons made, both for the Security, Immunity of King and people

people, which they with all their Subjects assented to; and with all devotion of mind, to the uttermost possibility of their power, vowed through Gods assistance to observe in every point.

Cap. XI. Of the Duty and Office of Kings: Undecimus Sermo fuit ad Reges & Principes, ut Regimen suum cum magna cautela & disciplina peragant, & cum iustitia judicent, ut scriptum est: (q) Apprehendite disciplinam, ne quando irascatur Dominus & pereatis, &c. Habentque Reges Consiliarios prudentes, Dominum timentes, moribus honestos, ut populos bonis exemplis Regum & Principum eruditis & confirmatus, proficiant in laudem & gloriam omnipotentis Dei. (q) Psal. 2: 11.

Cap. XII. De Ordinatione & Honore Regum (who were then (r) generally Hereditary not Elective). We decree, that in the Ordination of Kings, none may permit the assent of evil men to prevail; but **KINGS SHALL BE LAWFULLY ELECTED BY THE PRIESTS and ELDERS OF THE PEOPLE**; and those not begotten of Adultery or Incest: for as in our times by the Lawes, a Bastard cannot be admitted to the Priesthood, so neither can he be able to be the Lords anointed: and he who shall be born out of lawfull wedlock shall not be King of the whole Realm, and Heire of his Country: the Prophet saying; (s) Know ye that the Lord ruleth in the Kingdom of men, and the Kingdome is his, and he will give it to whomsoever he will, Therefore we admonish all in generall, that they would, with a unanimous voice and heart, intreat the Lord, that he who electeth him to the Kingdome, would himself give unto him the regiment of his holy discipline to govern his people. Likewise honour is to be rendred to them by all men; the Apostle saying; (t) Honour the King: and in another place, whether it be to the King as Supream, or to Governours, as to those who are sent by him, for the punishment of Malefactors, but to the praise of them that doe well. Likewise the Apostle, (u) Let every Soul be subject to the higher Powers, for there is no power given but of God: And the powers that are are ordained of God. Therefore who ever resisteth the power, resist-

(r) See Math. Westm. Ann. 886: p. 339. 340, 341. Proposition

(s) Dan: 4: 17. Prop. 7, 8.

(t) 1 Pet: 2: 17, 13:

(u) Rom. 12: 1

resisterb the Ordinance of God, and those, who resist, acquire damnation to themselves. Let no man detract from the King: for Solomon saith: (x) Thou shalt not detract from the King in thy mouth, neither shalt thou curse the Prince in thy heart, because the birds of the air shall carry the voyce, and that which hath wings shall tell the word. LET NO MAN DARE TO COMMUNICATE IN (or conspire) THE KINGS DEATH, BECAUSE HE IS THE LORDS ANOINTED: and if any shall have adhered to such a Wickednesse (or Treason) if he be a Bishop, or any of the priestly Order, let him be thrust out of it, and cast out of the holy inheritance, as Judas was ejected from his Apostolicall degree: and every one, whosoever he be, who shall assent to such a Sacriledge, shall perish in the eternall bond of an Anathema, and being associated to JUDAS THE TRAITOR shall be burnt in sempiternal burnings, as it is written: (y) Not onely those who doe such things, but those also who consent to such who doe them, shall not escape the Judgement of God. For the (z) two Eunuches consenting to slay Ahafuerus, were hanged on a Gallows. Consider what (a) David said to the Captaines, when the Lord had said unto him, I will deliver Saul into thy hands; when he found him sleeping, and was exhorted by the Souldiers to slay him; Let this sin be farre from me, that I should stretch forth my hand against the Lords anointed. Yea, he cut off the head of that Souldier, who after his death came unto him, protesting that he had slain Saul; and it was reputed unto him for righteousnessse, and to his seed after him: And it is often proved among you by ex-

amples, that WHOEVER HAVE HAD A HAND IN (b) THE MURDER OF THEIR KINGS, HAVE ENDED THEIR LIFE IN A SHORT SPACE, & utroque Jure caruerunt, (it should be corruerunt) and have perished by both Lawes (civill and sacred.)

Cap. 13. De Judiciis Justis ferendis. Let Great and Rich men execute just Judgements, neither let them accept the Person of the Rich, nor contemn the Poor, nor swerve from the

(x) Eccles. 10:
29.

(y) Rom. 1.

(z) Esth. 2: 21

22, 23.

(a) 1 Sam. 24

4, 5: c, 26, 7, 8,

9:

2 Sam: 1: 4, 10

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(b) See Dr:

Beards Tbeare

of Gods Judge-

ments.

Math. Westm:

An: 786, 102,

821, 838, 854

934, 946, 979

1001, 1016,

1017, 1054,

Prop. 1, 2, 3.

the rectitude of Judgement, or Law, nor receive gifts against the innocent, but judge in righteousness and truth; the Prophet saying, *Judge justly ye sons of men*: Also elsewhere, (c) *Thou shalt not doe that which is unjust*, nor judge unjustly: thou shalt not stand against the blood of thy neighbour. Likewise *Isaiah* (d) *Seek judgement, receive the Oppressed, judge the Fatherlesse, defend the Widow*: then come and let us reason together, saith the Lord. Also elsewhere, *Undo every bond of iniquity, undo the heavy burdens, let those who are oppressed goe free, and break every yoke. Then shall thy light break forth as the morning, and thy health shall spring forth speedily. The Lord saith in the Gospel,* (e) *For with whatsoever judgement yee judge, you shall be judged, and whatsoever measure you meet, it shall be measured to you again. Neither shall you take BY FORCE FROM ANY ONE THAT WHICH IS HIS OWN*; as it is said, (f) *Thou shalt not covet the thing which is thy Neighbours. Thou shalt not covet thy Neighbours wife, nor his house, nor his ox, nor his sheep, nor his field, nor any thing that is his. For the Prophet threatneth, saying,* (g) *Wo to you who joyn house to house, and lay field to field, till there be no place, that you may be placed alone in the midst of the earth. These things are in my eares, saith the Lord of Hosts. Again the Prophet crieth;* (h) *Deliver the poor and needy, rid them out of the band of the wicked. Remember what he deserveth, who shall offend one of these little ones: but whosoever shall receive one of these, receiveth Christ, from whom he shall deserve to hear in the day of Judgement;* (i) *Come yee blessed, inherit the Kingdome prepared for you from the foundation of the world.*

Cap. XIV. *De cohibendis Fraude, RAPINIS ET TRIBUTIS ecclesie INJUSTE IMPOSITIS.* Let Fraud, VIOLENCE AND RAPINE BE FEARED; AND NO UNJUST OR GREATER TRIBUTES IMPOSED ON THE CHURCHES OF GOD, then by the *Roman Law* and THE ANCIENT CUSTOMES OF FORMER EMPEROURS

AND PRINCES HATH BEEN USED. He who desires to communicate with the holy Roman Church, and St. Peter the chief of the Apostles, let him study to keep himself free from this vice of VIOLENCE. So concord and unanimity shall be every where between Kings and Bishops, Ecclesiasticks and Laicks, and all Christian people: that there may be unity every where in the Churches of God, and peace in one Church concurring in one faith, hope and charity, holding the Head which is Christ, whose Members ought to help one another, and to love one another with continuall Charity, as he himself hath said. (k) By this shall all men know that ye are my Disciples, if you shall love one another.

(k) John 13:
35.

These old established Saxon Lawes and Canons backed with sacred Scriptures, manifest the Duty of our old Saxon Kings, and their Officers towards their Subjects, whom they could not injure, oppresse or tax in any kind against their ancient Lawes, Customes, Priviledges; as likewise what Loyalty and Obedience the people owed to their Kings: which bounds when their Kings exceeded in an exorbitant manner, you have seen how they proceeded with them; and when the people exceeded them on the other hand against their Loyalty and Duties, they did not escape unpunished. Take but one memorable general president in this kind, in the Seditious, factious, rebellious Saxons of the Kingdom of Northumberland, who were infamous for their Insurrections and Rebellions against, and Expulsions and Murders of their Kings. (l) William Malmesbury and (m) Huntindon give us this Abbreviation of their Rebellions, Treasons, Regicides: *Osulf* son of *Egbrick* reigned one year, and was betrayed and slain by his Subjects; and made way for *Mollo*, who reigning diligently for two yeares, was compelled to lay down his Regality, and slain by *Alred*: who succeeding him, reigned eight yeares, and then was chased out of his Realm, and deposed by his people from the Throne he had invaded: *Adelred* Son of *Mollo* succeeding him, reigned three yeares, and then was driven out of his Kingdome, and forced to fly from the face of his Rebellious Dukes and Captaines.

(l) *De Gestis Regum Angl.*
l. 1. c. 33. p. 26.
(m) *Historia* l. 1.
4. p. 342, 343.
344.
Speeds History
p. 244, 245,
246.
See *Fabian*,
Holinshed,
Grafton, *Math.*
Westm. Anno
789, 798, 808
844, 848, 871
872.

taines. Then *Celwold* (alias *Alfwold*) being cried up King, after ten yeares reign, mourned under the Treachery of his Subjects, being slain without fault by the Treason of Duke *Sigga*: *Ostred* his Nephew (the next King) reigned scarce one year, and then was chased by his Subjects out of the Realm, and afterwards slain. *Adelred* Son of *Millo* reigned again four yeares (taking severe vengeance against those Rebellious Dukes and others who first expelled and deposed him) and then was slain by his alwayes most wicked people, being unable to avoid the fate of his Predecessors, *Ardulf* his Successor reigned twelve yeares, and then was chased out of his Realm by his rebellious Subjects: And *Oswold* after him, holding the Title of King onely for twentyeight dayes, was forced to save his life by flight unto the King of *Picts*. After which the *Northumbrians* preoccupied with the madnesse of their folly, continued divers yeares without a King. For (n) many (n) *Malmesb:* *Natives and Nobles*, being offended with these Rebellions and *De Gestis Reg:* *Murders of their Kings*, fled out of their Country, as fearing *l. 1. c. 3: p. 26,* some heavy plague to befall it. *Alcuinus*, that Country-man *27.* *Speeds History* (then in *France* with *Charles the great*) being ready to *p. 248.* return to his Country with gifts to King *Offa* from *Charles* *Alcuini O-* the Emperor, thought best to continue where he was, writing *serap. 1667,* thus to *Offa*; That he knew not what to doe amongst his Coun- *1668.* try men, amongst whom no man could be secure, or doe any good in giving wholesome Counsell to them, their holy places being wasted by Pagans, their Altars defiled with perjuries, terra SANGUINE DOMINORUM ET PRINCIPUM FÆDATA, and their very land it self polluted with the blood of their Lords and Princes; and the raining of blood then at *York*, in the *Lent* time; where their Religion first took its beginning in that Nation, presaged that blood should come from the Northern parts upon that BLOODY LAND and Realm of *Northumberland*, almost brought to desolation for its intestine dissentions, blood-sheds and fallacious Oathes (which they violated to their Sovereignes.) The Emperour *Charles* himself, having prepared divers Presents and Letters to be sent by *Alcuinus* and others to King *Offa*, and King *Ethelred*, and the Bishops of their respective

Realmes, after his Presents and Letters delivered into the hands of the Messengers; hearing of the murder of King Ethelred, and the Treachery of this Nation to their Kings (by Messengers returning through Scotland from King Offa) recalled all his Presents and Gifts, and was so farre incensed against that NATION, which he called PERFDIOUS, AND PERVERSE, AND MURDERERS OF THEIR KINGS, ESTIMATING THEM WORSE THAN PAGANS, that unlesse Alcuinus had interceded for them, he had presently substracted all the good he could from them, and have done them all the hurt that possibly he could devise.

" De Gestis
Reg. 1, 10, 3.

* Malmesbury records, that after Ethelred no man durst ascend to the Kingdome, whiles every one feared (in particular) lest the chance of these foregoing Kings should befall himself, and would rather live safe in inglorious idlenesse, then reign pendulus in doubtfull danger: Seeing most of the Kings of Northumberland departed out of this life by the Treachery and destruction by their Subjects. Whereupon they having no King for thirty three yeares, THAT PROVINCE WAS EXPOSED TO THE DERISION AND PREY OF THEIR NEXT NEIGHBOURS; and the Barbarous Danes speedily in great Numbers, invaded, spoiled and possessed it all that time, slew most of their Nobility and people, till at last they were enforced to subject themselves to the power and pleasure of the West-Saxon Kings, to defend them from the Danes, who infested, invaded, and miserably slew, wasted, destroyed these Seditious, Treacherous King-deposing, King-murdering Northumberlanders (o) Henry Hunnindon and Mathew Westminster record, that the year before the Northumberlanders trayterously slew their King Ethelred, there were fiery Dragons seen flying through the air; after which followed a very great famine, which destroyed many of them; soon after the Pagan Nations from Norway and Denmark invaded and miserably destroyed those of Northumberland and Lindessane, horribly destroying the Churches of Christ, with the Inhabitants; at which time Duke Sigga, who unworthily betrayed and slew his Sovereign King Alfwold of Northumberland,

(o) Histor. l. 4.
p. 343, 344, l.
3. p. 312.
W. m. b. Westm.
An: 873. 875.
876, 886.

berland, worthily perished; the whole Nation being first almost quite consumed with civill Warres, and by these Pagan invaders, whose Plague was farre more outrageous and cruell than that of the Romans, Picts, Scots, or Saxons Invasions and Depredations in former ages; they most frequently invading and assailing the land on every side, desiring not so much to obtain and rule over it, as to spoile and destroy it, with all things therein; burning their houses, carrying away their goods, tossing their little children, and murdering them on the top of their pikes, ravishing their wives and daughters, then carrying them away captives, and putting all the men to the Sword: which sad and frequent rumours from all parts, struck such terror into the hearts of King and people, that their very hearts and hands failed, and languished, so that when they obtained any victory, they had no joy nor hope of safety by it, being presently encountred by new and greater swarmes of these Pagan Destroyers. The cause of which sore Plague and Judgement he together with (p) Mathew Westminster, thus expresse. In the Primitive Church of England Religion most brightly shined; (p) Flores Hist. Anno 838. p. 301, 302. but in proceſſe of time all vertue so withered and decayed in them, **UT GENTEM NULLAM PRODITIONE ET NEQUITIA PAREM ESSE PERMITTERENT**, that they permitted no Nation to be equall to them **IN TREASON AND WICKEDNESSE**; which most of all appears in the History of the (sercised) Kings of Northumberland; For men of every Order and Office, **DOLO ET PRODITIONE INSISTEBANT**, addicted themselves **TO FRAUD AND TREASON**, in such sort as their impiety is formerly described in the Acts of their Kings. Neither was any thing held disgraceful, but Truth and Justice, *Nec honor nisi, BELLA PLUS QUAM CIVILIA, ET SANGUINIS INNOCENTIAM EFFUSIO* & causa dignissima cadis Innocentia. Nor any thing reputed honourable, but more than civill Warres, and effusion of the blood of Innocents, and Innocency, reputed a cause most worthy of death. **THEREFORE** the Lord Almighty sent a most cruell Nation like swarmes of Bees, who spared neither age

nor sex; to wit, the Danes, with the Gothes, the Norwegians, and the Sweeds, the Vandals, with the Friscons, who from the beginning of King Edelwolfe, to the coming of the Normans under King William, wasted and made the fruitfull Land desolate for 230 yeares, destroying it from Sea to Sea, and from man to beast. Which sore and dreadful long continued Judgement of God upon the Land, for those crying Sinnes now abounding amongst us, as much almost as amongst the Northumberlanders and other Saxons then, may cause us justly to fear the self same punishments, or the like, as they then incurred and the Britons before that under the bloody Usurper Vortigern, unlesse we seriously repent and speedily reform them. From these unparallelled prodigious Treasons, Insurrections, Regicides, Rebellions of these Northumberlanders, I conceive that infamous proverb (used by Maximilian the Emperor, and frequent in * Forraigne and other Writers) first arose touching the English: That the King of England was, *REX DIABOLORUM*, a King of Devils (not of men or Saints) *SUBDICOS ENIM REGES EFICERE TRUCIDARE* because the English (especially the Northumberlanders) so oft rebelled against, expelled, deposed and murdered their Kings, beyond the Spaniards, French and other Nations. Which Proverb the late extravagant Proceedings of some Jesuitized pretended English Saints, have now again revived out of the ashes of oblivion.

But I hope these sad recited old domestick presidents will hereafter instruct both Kings, Magistrates, Parliaments and people, to keep within those due bounds of Justice, Righteousnesse, Law, Equity, Loyalty, Piety, Conscience, Prudence and Christian Moderation, which the Lawes of God and the Land prescribe to both, and the Council of Calcutuk, forecited long since prefixed them.

Proposition 1. That the ancient English Saxon Kings at and from their primitive Establishment in this Realm, had no power nor prerogative in them to impose any publike Taxes, Imposts, Tributes, or Payments whatsoever on their people without their

* *Tractatus Joannis Avenzini de Rebus Turcicis* p. 117. Heylin's *Microcosmus* in Germany.

their Common Consents and Grants in their Great Councils of the Realm, for any spiritual or temporal use, I shall evidence by the four first General publick Taxes that I meet with in the Histories of their times, which I shall recite in Order according to their Antiquity, though I shall therein somewhat swarve from my former Chronological Method, in reciting some subsequent Lawes and confirmations relating to every of them, for brevity sake, out of their due order of time, and coupling them with the original Lawes for, and Grants of these general Charges and Taxes, to which they have relation, and then pursue my former method.

Henry Huntindon, in the Prologue to his fifth Book of *Histories* p. 347. writes thus of those Saxons, who first seized upon Britain by the Sword. *Saxones autem pro viribus paulatim terram (Britanniæ) bello capiscentes, captam obtinebant; obtentam, ædificabant, ædificatam LEGIBUS REGEBAUNT*: not by arbitrary Regal power without or against all Law.

The first Taxes and Impositions ever laid under the Saxon Kings Government, after they turned Christians, upon the people of England, were for the maintenance of Religion, Learning, Ministers, Schollers, (long before we read of any Taxes imposed on them for the publick Defence of the Nation by Land or Sea) all and every of which were granted, imposed onely by common consent in their Great Councils (before the Name of Parliament was used in this Island, which being a French word came in after the Normans, about Henry the third his reign) without which Councils grant they could neither be justly charged, nor levied on all or any Free-men of this Island, by any civill or legall Right, by those to whom they were granted, and thereupon grew due by Law.

1. The first General Tax or Imposition laid on and paid by the Saxon Subjects of this Land appearing in our Histories, was that of *Caricseata* (*id est CENSUS ECCLESIAE*) in plain English, Church-tithes, or Church-Fees; in nature of First-Fruits and Tithes.

Anno Dom. 692. The first Law whereby these Churchets, Church-Fees, or First-Fruits were imposed on the people, and settled as an Proposition 1. annuall duty on the Ministers (paid onely before that time as voluntary Free-will Offerings to the Ministers of the Gospel by devout and liberal Christians) was enacted by (q) Spelmanni Concil: Tom: 1. Ive, King of the west Saxons, in a Great Council held under p. 183, 184, him Anno Dom. 692. Wherein, by the exhortation, advise 185, 187: and assent of Cenred, his Father, Heddes and Erkenwold, (Chron: Johanni: his Bishops, AND OF ALL THE ALDERMEN, Brompton col: 761, 762, 766) ELDERS AND WISE-MEN OF HIS REALM, and a great Congregation of the Servants of God, he established this Law (among sundry others) which none might abolish. Cap. 4. De Censu Ecclesie: Cericseata (i.e. Vectigal, or Censu Ecclesie) reddita sint in Festo Sancti Martini: Si quis hoc non compleat, reus sit IX. sol: & duo decupla reddat ipsum Cericseatum. So one Coppy renders it out of the Saxon: another thus, Cyricseata: (idest PRIMITIÆ SEMINUM) ad celebre diu Martini Festum redduntur: qui tum non soluerit, quadraginta Solidis multatur, & ipsas præterea Primitias duodecies persolvit. After which there is this second Law subjoyned, Cap. 62 De Cyricseatis. Primitias Seminum quisque ex eo dato domicilio, in quo ipse natali die Domini commemoratur. These Duties were afterwards enjoyned to be paid by the * Lawes of King Adelftan Anno 928. c. 2. Volo ut Cyricseatha reddantur ad illum locum cui recte pertinent, &c. By the Lawes of King Edmund made Anno 944. in a Great Synod at London, AS WELL OF ECCLESIASTICAL AS SECULAR PERSONS summoned thither by the King, c. 2. Decimas præcepimus omni Christiano super Christianitatem suam dare & emendent Cyricseattam, id est Ecclesie censum. Si quis hoc dare noluerit, excommunicatus sit. By the Lawes of King Edgar Anno 965. c. 2, 3. (r) and the Lawes of King Ethelred; made by him and his Wise-men apud Habam, about the year of Christ 1012. Cap. 4. DE CONSUE- TUDINIBUS sanctæ Dei Ecclesie reddendis. Præcipimus, ut OMNIS HOMO super dilectionem Dei & omnium sanctorum DET CYRISCEATTAM, ET RECTAM

* Lambard: Archæon: Chron: Johanni: Brompton col: 841, 58. Spelm: Concil: p. 402, 419, 420, 444.

(r) Spelmanni Concil: p. 530, 531.

RECTAM DECIMAM SUAM, sicut in DILEBIS ANTECESSORUM NOSTRORUM FECIT, quando melius fecit: hoc est, sicut aratrum peragrabat DECIMAM ACRAM: & omnis consuetudo redatur super amicitiam Dei, ad Matrem Ecclesiam cui adjacet, ET NEMO AUFERAT DEO QUOD AD DEUM PERTINET, ET PRÆDECESSORES CONCESSERUNT. * By which Laws it seemes, * See Gulielm^{us} that these *Cyricseata*, or *Church-Fees*, were of the same nature with *Tythes*, (if not *Tythes* in truth) and the tenth aere, or tenth part of all their Corn and arable Lands increase (*Tithes* both in the (1) *Fathers*, *Councils*, *Writers* of this and some former ages, being usually stiled, *First-Fruits*) though most esteem them duties different from *Tythes*. Which duty the people being backwards (as it seems) to pay, King *Knute* by the advise and consent of his *Wise-men* in a Great Council Anno 1032. quickned the payment of them by this additionall Law, increasing the first penalty by a superadded fine to the King. * *Cyricseata* (which the Latine Translation renders, *Seminum primicie*) ad festum Divi Martini penduntur: Si quis dare distulerit, eas Episcopo undecies præstato, ac Regi duenos & viginti Solidos persolvito. Et dat omnis *Cyricseot* ad matrem Ecclesiam per omnes Liberas domus. I find by the Surveyes and Records of our late Bishops Revenues; That these *Churchets* of later times were certain small portions of Corn, Hens, Eggs, and other Provisions paid by each House or Tenement (according to the several values of them) for the Maintenance and Provisions of the Ministers; which were constantly rendred to our Bishops by their Tenants under the name of *Cyricseata* or *Churchets*, in divers Mannors, till they were lately voted down. This was the first kind of publick Tax imposed on the people for the Maintenance of the Ministry: and that onely by common grant and consent in Common Councils of that age; as were their (1) annuall Tributes for Lights, *Parish Almshouses*, and their *Soul-shot* or *Mortuaries* at every mans decease, first granted by common Consent in Parliamentary Councils, which I shall but name.

Sommeri Glossarium Title: Cyricseattam.

(1) *Iræneus*, l. 4: c. 34:

Origen Homil: 11. in Num.

Hieron: in Math: c. 3.

Augustin: de Tempore Serm: 219.

Cassian: c. 25.

Isidor Pcluse 1a: l. 1. Ep. 317

Antiochus Homil. 120:

Concil: Arclatense 4:

Can. 3.

* *Spelm: Con- cil: p. 563*

Chron: Johann: Brompton col: 920.

* See *Spelm: Glossarium & Guli: Sommeri*

Glossarium Title: Cyric-

seattam.

(1) *Spelmanii Concil: p. 375,*

563, 564, 571

Anno Dom. 2. The second principle annuall Charge or Tribute imposed on and paid by the people under the *Saxon Kings*, 787: was *Tithes* of the annuall increase of their Lands and Goods, for the maintenance of Gods Worship, Ministers and Religion; which though due by Gods Law and a Divine Right to Ministers (as the first Law made for their due and true payment recites, and I have lately proved at large in my *Gospel-Plea*, &c.) yet they could not be legally imposed, nor exacted from the people by the Ministers in foro humano, without publick consent and grant. Whereupon in the * *Generall Council of Calchuth* (held in the year of our Lord 787) *Cap. 17. Ut Decima solvantur*; this Law was made. In paying tithes, as it is written in the Law (of God) Thou shalt bring the tenth part of all thy Corn and First-Fruits into the House of the Lord thy God, &c. Wherefore likewise WE COMMAND with an obtestation, that all men be carefull to render Tithes of all things they possesse, BECAUSE IT IS THE PECULIAR PORTION OF THE LORD GOD, &c. which Law being read in that publick Council by Gregory Bishop of Ostia, before King Alfwoldus, Arch-Bishop Eanbald, and all the Bishops, Abbots, Senators, Dukes and PEOPLE OF THE LAND: they all assented to it, and with all devotion of mind,* according to the uttermost of their power, bound themselves by vow, that by Gods supernall assistance they would observe it in all things; ratifying it with the Sign of the Crosse and Subscription of their Names thereto, according to the Custome of that age. After which it was read before King Offa in the Council of the Mercians and his Senators, Jambertus Arch-Bishop of Canterbury, and the rest of the Bishops of the Realm, with a loud voyce, both in the Latine and Germane tongue, that all might understand it: who ALL WITH A UNANIMOUS VOYCE AND CHEARFUL MIND ASSENTED TO IT, & promised that they would (by Gods Grace assisting them) with A MOST READY WILL, to the best of their power, observe this (and the rest of the Statutes there made) in all things. And then ratified them with the sign of the Crosse and Subscription of their

Names

* Centur:

Magd: 8, c. 9.

Spelm: Concil:

p. 292, 293,

298, 299, 300.

301.

Mr. Seldens

History of

Tithes ch: 8, p.

188, 189.

* Let our

Tith-oppo.

King, Souldiers

and others ob-

serve it.

Names thereto. It seemes very probable by this *Clause* in the *Lawes* of (u) *Edward the Confessor* (confirmed by (u) *Spelman's Concil. p. 621.* *William the Conquerour*) *Cap. 9. Of Payment of Tithes* of *Cattel*, *'Bees and other things*; *Hæc enim beatus Augustinus predicavit, & docuit: Et hæc CONCESSA SUNT A REGE, ET BARONIBUS, ET POPULO,* *Henric Knighton De Eventibus Angliæ, 2. col. 2336.* That upon the preaching of *Augustine*, (first *Arch-Bishop* of *Canterbury*) *Ethelbert King of Kent*, with his *Barons and People* (assembled in a great *Parliamentary Council*) after their *Conversion* by him to the *Christian Faith*, granted *Tithes* of all things to him and their *Ministers* by a *speciall Act or Law*; (which if true) must be about the year of our *Lörd. 603.* at least one hundred and eighty years before the *Council of Calchuth*. But because I find no such speciall Law of his extant in any Author; and this passage may be intended of *Augustine Bishop of Hippo* (flourishing about the year of *Christ 410.*) who hath severall *Homiles* concerning the *Due payment of Tithes*; as *Hom. 48. inter Sermones, 59. Sermo De Tempore 219 ad Fratres in Exemo. Sermo 64. and in Psal. 146.* and because this clause may be as well intended of *King Alfwold*, or *King Offa*, and his *Barons and People* in the *Council of Calchuth*, as of *King Ethelbert* and his *Barons and People*; I have therefore begun with their *Law for Tithes*, being extant, certain; whereas the other is but conjecturall: yet made by *common grant and assent of the King, and his Barons, and People*, if there were any such.

After this *Council of Calchuth*, I find very many *Lawes* confirming, continuing, establishing in all successions of ages, till this day, this charge and payment of *Tithes* (all made by *Common Consent* in *Generall Councils* or *Parliaments*, both before and since the *Conquest*; which because they are all extant in *John Bromptions Chronicle*, printed at *London, 1652.* *Mr. Lam'ards Archaion*, *Sir Henry Spelman's Councils*, *Rastals Abridgement of Statutes*; and accurately collected in a *Chronological order*, by *Mr. Selden* in his *History of Tithes* ch. 8. where all may peruse them, I shall wholly pretermitt them here, and referre the Reader to these

Authors: All which Lawes are clear Evidences of the first Propositions verity.

Anno Dom. The third General ancient *Saxon Tax* and *Charge* occurring in our Histories, imposed on the People, was that of (v) *Rome-scot*, or *Peter Pence*; to wit, one penny out of every (x) *Spelmanni* House each year, paid on the Feast of *St. Peter ad vincula*; for and towards the maintenance of the English School and Schollars at *Rome*: from the payment whereof all the Lands belonging to the Abby of *St. Albanes* were exempted by King *Offa*, by whom this *Tax* or *Almes* was first granted, for the maintenance of the English Schollars at *Rome*, and that by the UNANIMOUS antecedent and subsequent CONSENT, of Arch-Bishop *Humbert* and his Suffragans, ET PRIMATIBUS SVIS UNIVERSIS, and of all his Nobles or chief Men, assembled in a PROVINCIAL COUNCIL at *Verolam*, in the year of our Lord 793. This School (as *Malmesbury De Gestis Regum Anglie* l. 2. c. 1. and *Balans Cent.* l. c. 15. record) was first founded by King *Offa* before his going to *Rome*, which Sir *Henry Spelman* proves out of *Brompton* and others: But it appears by (y) *Mathew Westminster*, that this School was there first built and endowed with *Peter-pence* by King *Ive* 66. yeares before King *Offa* es grant and endowment. For he writes; that King *Ive* going to *Rome* Anno 727. built a House in that City, by the consent and will of *Pope Gregory*, which he caused to be called, the School of the English: To which the Kings of England, and the royall Stock, with the Bishops, Elders and Clergy men might come to be instructed in the Catholick doctrine and faith, and so, being stedfastly confirmed in the faith, might return home again. For the Doctrine and Schooles of the English, from the time of *St. Augustine*, were interdicted by the Roman Bishops, by reason of the daily Heresies which had sprung up by the coming of the English into Britain, whiles the Pagans intermixed with the Christians, corrupted both the grace of holy conversation, and the Christian Faith. He likewise built a Church, dedicated to the Honour of the Virgin Mary, near to this School, where the English coming to *Rome*, might celebrate divine

Proposition 1.
(x) *Spelmanni*
Council p. 388,
to 313, 292,
261.
Radulfus de
Diceto Abbre-
viationis *Chro-*
nicrum col,
446,
Chron. Iohanni.
Brompton col:
754, 776.

(y) *Math.*
Westm. Anno
727. p. 265.

divine Mysteries, and be likewise buried if they died there. Then he addes, *ET HÆC OMNIA UT PERPETUÆ FIRMITATIS ROBOR OBTINE-
RENT, STATUTUM EST GENERALI DE-
CRETO* (made in a General Council of the Realm) *PER TOTUM REGNUM OCCIDENTALI-
UM SAXONUM*, in quo prædictus Ina regnabat, ut singulis annis de singulis familiis denarius unus qui anglice, ROME-SCOT appellatur, beato Petro, & Ecclesie Romanæ mitteretur, *UT ANGLI IBIDEM COM-
MORANTES VITALE SUBSIDIUM INDE HABERENT.* Which grant, Offa King of Mercians first enlarged and granted in his Kingdome (distinct from that of Ive) 66. yeares after this, as aforesaid. This Annuall Contribution towards this Schooles maintenance, was afterwards confirmed, and the due payment thereof prescribed, under penalties by the (2) successive Lawes of (2) Spelmanni King Edgar, King Ethelred, Canutus, Edward the Confessor, Concil. p. 445, 446, 517, 530 and William the Conquerour, made in successive GREAT 544, 621, 625 COUNCILS held in their times, BY AND WITH 633. THE ADVICE AND ASSENT OF THEIR Mr. Lambards ARCH-BISHOPS, BISHOPS, WISEMEN, NO. Archb. n. BLES AND SENATORS. in the yeares of our Lord Johannis 967, 1009, 1012, 1032, 1060. (or thereabouts) and Brompt Chron. col. 871. 902, 1070. By vertue of which Lawes this Tax was duly paid 920. every year in all succeeding ages, till it was finally abolish'd Henr. de and taken away by name, by the Statute of 25. H. 8. c. 21. Knighton de being perverted from its primitive intended use, and made Eventibus Angliæ l. 2, a constant Revenue by and for the Popes themselves, against col. 235. the Donors mindes, and their Successors, who so long continued it for the foresaid uses, of the English schoolings.

These three most ancient Taxes and Charges, originally granted, imposed, and afterwards continued onely by Common grant and Consent of the King, Nobles, People in Generall Councils and Parliaments, are a most pregnant proof of the first Proposition, and of the Peoples most ancient Originall Fundamentall Right of Property in their Goods and Estates, exempt from all Impositions and Tallages whatsoever, but onely

* See my Ge-
feel Plea, for
Tithes, &c.
1653.

by their free Grants and Consents in Parliament. For if our
ancientest Christian Saxon Kings and greatest Monarchs
could not by their Prerogatives or absolute Power alone,
but onely with and by the free and common consent and
grant of their Nobles, Wise-men, Prelates and People in the
Great Parliamentary Councils of their Realmes, impose the
Payment of First-Fruits and Tithes upon their Subjects,
* though due by the very Law of God, towards the Mainte-
nance of Gods Worship and Ministers, for the publick good,
instruction, salvation of all their Soules: nor yet the Pay-
ment of Peter-pence, for the Maintenance of Learning and
Schollars, to supply the Ministry, and furnish the Realm with
able learned Men, for the common benefit both of Church
and State, being things of greatest Concernment for the
Peoples Kingdomes Happinesse, Government and Prospe-
rity: much lesse then could they lay on them any other
Tax, Tribute, Aid or Assesment whatsoever, of lesse ne-
cessity and concernment, for any inferior uses, or for De-
fence of the Realm by Land or Sea against Enemies or Ro-
vers, by their own absolute Authority, but onely by and with
their voluntary Grants and Consents in General Parlia-
mentary Councils of the Realm, as every rationall man must
acknowledge.

Anno Dom.

871, 873,

983, 984,

&c-

Proposition 1.

See my Hum-

ble Remon-

strance against

the Illegal Tax

of Ship-money

p. 19, &c.

* Mat. Westm.

An. 871, 873

983, 991, 994

&c.

Simeon Duncl-

men's Hist. de

Gestis Regum

Angliap, 162,

163, 164, 166

169.

The fourth Publick Tax or Imposition on the people in
point of time, is that of Danegeld (the first Civill Tax
we ever read of) whereof there was two sorts. The first,
paid to the Danes themselves by way of Composition, as to a pre-
vailing Conquering Enemies, to prevent their Plunders, Ra-
vines, Incursions. The second, paid for the maintenance of
valient Souldiers and Mariners, to defend the Sea Coasts and
Seas against the Invasions, Piracies of the Danes and other
Enemies. The first Payment I find of any monies to the
Danes by way of Composition, was in the year of our Lord
871. When Bernpredus King of Mercians compounding
friendly with them, Pecuniis Inducias impetravit; obtained
a Truce with them for money, as Mathew Westminster re-
cords: After this Anno 873. Merciarum Gentes, dato munere,
appeased those Pagans with a Gift. What the sum of Money

or Gift was, is not expressed, nor how it was raised: nor yet upon whom: but the words imply, that it was done by common consent of the Nobles in a Generall Council, for their Common Preservation from Plunder (not imposed or raised by the Kings Prerogative, without their free consents in a General Council or Parliamentary Assembly, for so it was assessed and levied in succeeding times. (b) Anno Dom. 983. *The Danes infesting all the Ports of the Realm, and the people not knowing where or how to resist them; DECRETUM EST A VIRIS PRUDENTIBUS,* It was decreed by the Wise-men, (no doubt in a Generall Council assembled for that end, not by the Kings absolute Authority) that they should be overcome with Money, who could not be vanquished with the Sword. Wherefore they satisfied the Covetousnesse of the Danes with the payment of ten thousand pounds. Anno 991. A Tribute of 10000*l.* was given them BY THE ADVICE OF SIRICIVS, DUKE ETHELWARD AND OTHER NOBLES OF THE REALM, that they should cease their frequent Rapines, Burnings and Slaughters of men which they used about the Sea Coasts. Anno 994. King Ethelred *CONSILIO PROCERUM SVORUM*, by the Counsell of his Nobles (no doubt in a Parliamentary Assembly) gave them a pension of 16000*l.* collected of all England, that they should cease from the Rapines and Slaughters of innocent men: And Anno 1002. the same King *HABITO CONCILIO CUM REGNI SVI PRIMATIBUS*, with duxit, a Danis dextris accipere, &c. And *CONSILIO PRIMATUM SVORUM*, by the Counsell of his Nobles (or Chief men) gave them 24000*l.* and Anno 1007. *CONSILIO PRIMATUM SVORUM*, BY THE COUNSEL OF HIS NOBLES. he gave them 30000*l.* gathered out of all England, that they should desist from Rapines, and hold a firm Peace with him. Anno 1012. Duke Edric and ALL THE NOBLES OF ENGLAND OF BOTH ORDERS (to wit, the Lords Spirituall and Temporall) were assembled together at London before Easter (no doubt

(b) *Math. Westm. Anno 983, 991, 994, 1001, 1007, 1012. Simeon Dunelmensis Hist. col. 162, 163, 164, 168, 169*

in a Great Council) and continued there so long till the Tribute promised to the Danes should be paid, which was 48000 l. All which is recorded in these expresse termes by Mathew Westminster, Florentius Wigornienſis and Simeon Dunelmensis in their Chronicles and Histories of these respective years; and by Polychronicon, Fabian, Holinshed, Grafton, Speed and other late Historians out of them. So as this Tax or Tribute paid to the Danes, was undoubtedly imposed and levied by common Consent in the Parliamentary Councils of those times, not by the Kings own power and Prerogative alone. True it is, King Suanus the Dane having conquered most of the Land, exacted it from the people, and levied it perforce against their will, for the payment of his Soldiers: But the Inhabitants of St. Edmonds-bury refused to pay it: Whereupon he threatned by force to spoile and destroy the Town; but in the midst of his Jollity and Nobles, he suddainly cryed out, that he was struck through by St. Edmond with a Sword, or Speare, no man seeing the hand that smote him: and so with great horronr and torment died three dayes after at Thetford: as Hoveden Annal. pars prior: Simeon Dunelmensis de Gestis Regum Angliæ. Anno 1014. col. 170. Math. Westminster Anno 1014 p. 394. Ranulfus de Diceto, Abbreviationes Chronicorum col. 465. Johann. Brompton Chron. col. 892. Fabian part 6. c. 200. Polychronicon l. 6. c. 16. Speed in his History l. 7 p. 420. with others relate. A memorable Punishment for this his illegal Exaction and Oppression.

As for the Tax of Danegeld imposed on the People, (to wit) 12 d. as some, * or 2 s, as others, to be annually paid out of every Hyde or Plowland throughout the Realm, (except the Lands of the Church, and some others exempted from it by Special Charters) it was imposed by Authority and Acts of Generall Councils onely, (not by royall Prerogative) for Defence of the Kingdome by Land and Sea against the Danes, and other Enemies and Pirates, as is evident by the Lawes of King Edward the Confessor cap. 12. The Black Book of the Eschequer l. 1. c. 11. Sir Henry Spelman and William Somner their respective Glossarium: Tit. Danegeld

* Chron. Johan.
Brompton col.
957.

p, 200, 201. Mr. Selden his *Mare Clausum* l, 2. as I have irrefragably proved at large in My Humble Remonstrance against the Illegal Tax of Ship-mony p, 19. to 25, to which I refer you for fuller satisfaction.

Anno 1051: this unsupportable Tax of Danegeld, was released for ever to the People of England by King Edward the Confessor, out of pity towards his oppressed People, to wit, in the 38. year from the time that Suenus King of the Danes commanded it to be yearly paid to his Army, in the reign of King Etheibert, Father to this King Edward: Which Abbot Ingulph in his History p: 897. John Brompton in his Chronicle col. 938, 943. Simeon Dunelmensis De Gest. Reg. Angl: col: 184. Ailredus Abbas Rievallis de Vita & miraculis Edwardi Confess. col: 383. Radulfus de Diceto Abbrev. Chron: col: 475 Henry de Knyghton de Eventibus Angl. l, 1 c, 9. col: 2331. Mr. Selden in his *Mare Clausum* l, 2. Sir Henry Spelman in his *Glossary*, Title Danegeld, and others thus relate in Ingulphus words. *TRIBUTUM GRAVISSIMUM quod DANEGELD dicebatur, OMNI ANGLIÆ IN PERPETUUM RELAXAVIT; & DE TAM FERA EXACTIONE NE IOTA UNUM VOLVIT RETINERE*: restoring to the People all the money then collected and brought into his Bed-chamber by his Officers, and there laid in heaps; upon which this most holy King (as some of the record saw a Devil dancing and triumphing with over much Joy: and calling it, HIS MONY. * *QUIA INJUSTE ADQUISITA EST DE SUBSTANTIA PAUPERUM*; because it was * unjustly gotten out of the substance of the poor Subjects. (though by colour of former Grants by common consent in Parliamentary Councils) upon which occasion this good King forthwith restored all that was collected, and perpetually released for the future this great and heavy Tribute (which had continued near forty years) to the English-men for ever, so that after that day it was no more gathered; as Roger Hovedon Annal: p: 447. Hygden in his Polychron: l, 6, c, 24. Capgrave, Surius, Ribadeniera, Holinshed in the life of Edward the Confessor, Math. Westm: Simeon Dunelmensis, and Florent. Wigorniensis An: 1051. Grasion in his Chronicle p, 180. Speed in his History of Great Britain l, 8, c, 6 Sect 7, p, 419. Fabian in his Chron: part 6, c, 210 p, 282, with the other forementioned Authors joyntly attest.

By these four first General Taxes and publick charges thus imposed on the ancient Saxons and English, onely by common grant and consent in the great Parliamentary generall Councils of the Realm, both for the maintenance of Gods Worship, Ministers, Religion, Learning and defence of the Realm against forraign Enemies and Invasions, the truth of the first fundamentall Proposition in the precedent Chapter is abundantly confirmed, during all our Saxons Kings Reigns; which I shall confirm in subsequent Sections, by Presidents in all succeeding ages to this present: who never granted any Subsidies, Aids, Taxes, but by full consent in Parliament, and that in equal proportions (one * Subsidy, or Escuage, or Fifteenth or Tenth at most, and no more, not endlesse Monthly Taxes, much less Excesses coupled with them, as new, and many times refused to grant any Aid or Tax at all, as I shall prove at large in Henry the third his reign) and then not before all their Grievances first redressed, and the Great Charter, and then violated Liberties first confirmed by new Grants, Customs, Aids, Charters, Excommunications, not so much as

Anno Dom. 1051.

Proposition 11

* See Mich. Lockm. Ser. 83 & Sueni Roselli Tit. Pedagium.

* See Mathew Parks in Henry 3 & Cookes Justitine c. 1. Royal Taxes.

though he

thought upon now, after such unparallel'd violations and subversions of them, which all our late endless *Egyptian Tax-masters* of several kinds, even out of *Parliaments*, by their own usurped authority, without the oppressed peoples grants or consents in any real *English Parliaments*, may doe well to consider; and withall to peruse that notable Discourse of *Gulielmus Perardus*, Bishop of *Lions*, *De Virtutibus & Vitiis*. Tom. 2. *De Avaritia*. cap. 3. *DE INJUSTIS TALLIIS* f. 44, 45. Where he largely demonstrates

* See *Alexand. Fabrit.* *Destr.* on the people; proving, that besides the sin of *RAPINE*, there is *PECCATIONEM pars TOM PRODITIONIS* the sin of *TREASON* in it; together with 4. 65. who is the sin of *INGRATITUDE*, and *CONTEMPT OF GOD* and tullest than he *ANGELS*. And withall resolves; That if *Rulers, Souldiers* shall impose or levy any unjust *Taxes* upon the *People*, or exact more from them then their just wages, contrary to the Gospel precept, *Luc. 3. 14. SUNT PROMITTORES*, they are *TRAYTORS*: *Spoliant enim filios Dei bene fidei eorum commendatos*; for they spoil the people of God committed to their good faith and tuition, and use them no otherwise than if they were *Enemies*: and who knows not that it is the *Crime of TREASON*. *cum amicis inimicitias exercere*; to exercise acts of enmity towards their friends? and like the Devil himself to render affliction and punishments to those instead of protection and retribution, who serve and pay them best. *Quibus dici potest quod secundum hoc, DOMINATIO EORUM DIABOLICA EST*: as he there determines, to rectifie the mistakes of those, who now think this kind of new *Tax-imposing* Government, not *Diabolical*, but *Angelicall* or *Saint-like*.

I now return to my former *Chronological method* and *Collections*, during all the reigns of our *Saxon and Danish Kings*, which I shall prosecute in the next Section, till the *English Supplantation* by the *Normans*; of which *John Brompton* Abbot of *Jernal* gives this reason (by way of divine retaliation) which I define all *Sword men* and others, who repute *Conquest* and the longest *Sword*, a just and *Saint-like* Title to other Mens Lands, Possessions, and all temporizing *Drivins* (who like *Augustine* the first *Arch bishop* of *Canterbury*, who converted the *English* to *Christianity* *QUI PRÆTEXTU FIDEI GENIEM ADVENAM IN ALIENO CONFIRMAVIT IMPERIO UT SUAM ET ROMANAM JURISDICTIONEM DILATARET*, instead of preaching, of pressing the Doctrine of *RESTITUTION* to them, for which he is justly taxed by *Leland* & * *Math. Parker*, as being longe, dissimilis *Palladio* tunc *Scotorum Apostolo*, qui *Constantinum contra Regem* (celte *Polydoro*) multis precibus horitatus est, ne gentem *Saxo* um *IMPIAM* contra *BRITANNOS CHRISTIANOS* *INVADERET*) seriously to ruminare upon * *Hoc autem Dei munus factum esse constat, ut malum contra IMPROBOS ANGLOS postea IUSTO DEI IUDICIO tempore disposito adveniret. Nam SICUT ANGLI quos DEUS, sceleribus suis exigentibus, discerninare proposuerat, BRITANNES peccatis suis exigentibus, humiliaverant, & A TERRA ANGLIÆ MINUS IUSTE FUGAVERANT, SIC IPSI DUPplici PERSECUTIONE, primo DACORUM savientium, postea NORMANNORUM superuenientium fortitudine GENTIBUS EXTRANEIS SUBDERENTUR, quod in sequentibus apparebit.*

FINIS.

* *Antiqu. Eccles. Brit.*
p. 12.

* *Chron. Joh. n.*
Brompton col.
883.

