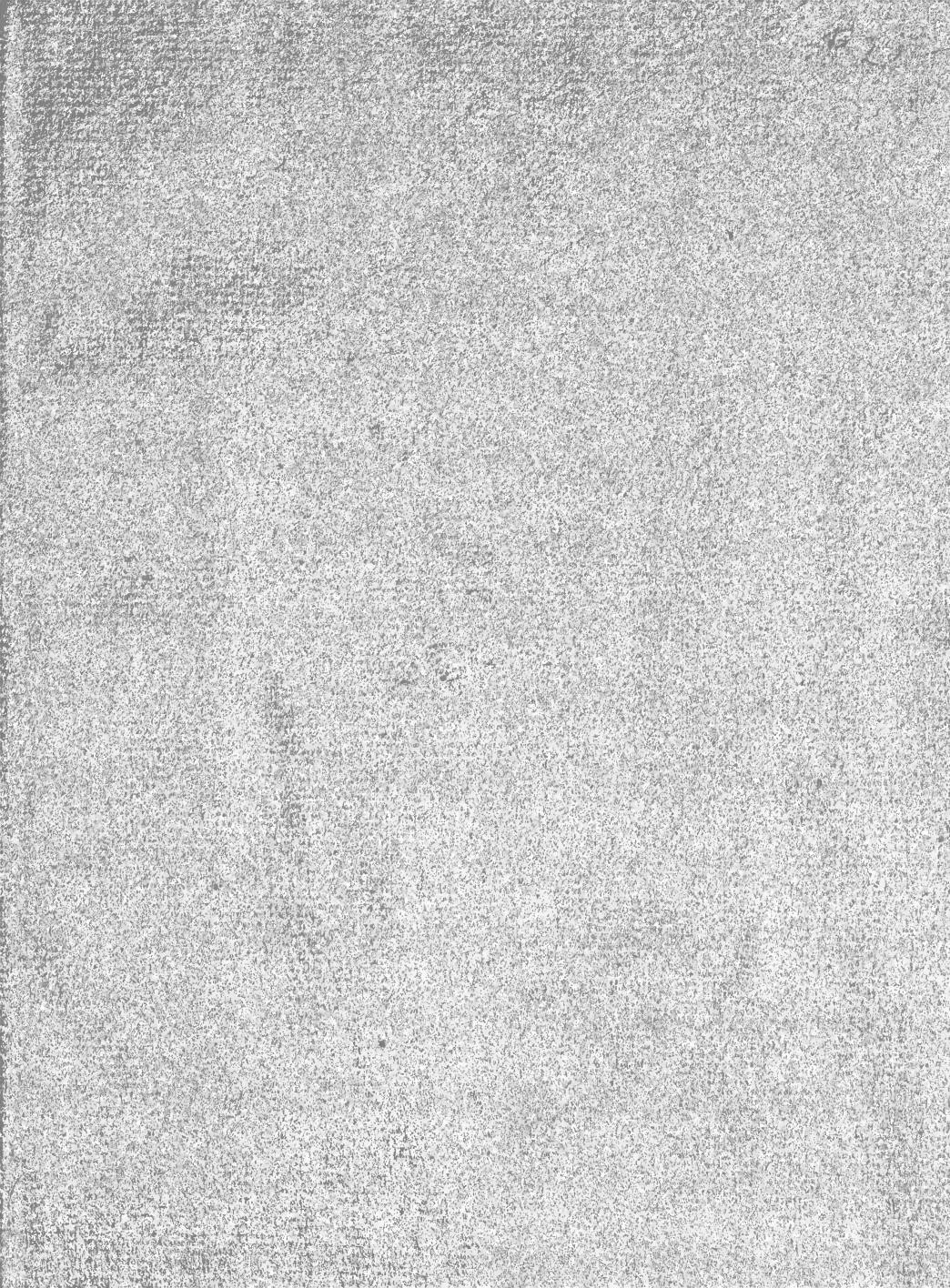






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# Fourteen Papers,

V I Z.

- I. A Letter from a Gentleman in *Ireland*, to his Friend in *London*, upon occasion of a Pamphlet, Entituled, *A Vindication of the present Government of Ireland*, under his Excellency *Richard Earl of Tyrconnel*.
- II. A Letter from a Freeholder, to the rest of the Freeholders of *England*, and all Others, who have Votes in the Choice of Parliament-Men.
- III. An Enquiry into the Reasons for Abrogating the *Test* imposed on all Members of Parliament. Offered by *Sa. Oxon*.
- IV. Reflections on a Late Pamphlet, Entituled, *Parliamentum Pacificum*. Licensed by the Earl of *Sunderland*, and Printed at *London* in *March*, 1688.
- V. A Letter to a Dissenter, upon occasion of His Majesties late Gracious Declaration of Indulgence.
- VI. The Anatomy of an Equivalent.
- VII. A Letter from a *Clergy-man* in the *City*, to his Friend in the *Country*, Containing his Reasons for not Reading the *Declaration*.
- VIII. An Answer to the *City Minister's Letter*, from his *Country Friend*.
- IX. A Letter to a *Dissenter* from his Friend at the *Hague*, concerning the *Penal Laws*, and the *Test*; shewing that the Popular Plea for *Liberty of Conscience* is not concerned in that Question.
- X. A Plain Account of the Persecution laid to the Charge of the *Church of England*.
- XI. *Abby* and other *Church-Lands*, not yet assured to such Possessors as are *Roman Catholicks*; Dedicated to the Nobility and Gentry of that Religion.
- XII. The King's Power in Ecclesiastical Matters truly stated.
- XIII. A Letter of several *French Ministers* fled into *Germany* upon the Account of the Persecution in *France*, to such of their Brethren in *England* as approved the Kings Declaration touching *Liberty of Conscience*. Translated from the Original in *French*.
- XIV. Popish Treaties not to be rely'd on: In a Letter from a Gentleman at *York*, to his Friend in the Prince of *Orange's Camp*. Addressed to all Members of the next Parliament.

L O N D O N: Printed and are to be Sold by *Richard Baldwin* near the *Black Bull* in the *Old-Bailey*. 1 6 8 9.



# THE HISTORY OF THE

## NEW YORK

The history of the New York State is a long and varied one, beginning with the first European settlers in the early 17th century. The Dutch, English, and French all played significant roles in the development of the region. The Dutch established the first permanent settlement in 1614, and the English followed in 1614. The French arrived in 1673, and the British in 1784. The state was founded in 1784, and has since been a major center of industry and commerce. The state's history is marked by significant events, including the American Revolution, the Civil War, and the Great Depression. The state's economy has grown steadily over the years, and it remains one of the most developed states in the United States. The state's culture is a blend of many different influences, and it has a rich and diverse heritage. The state's history is a testament to the resilience and ingenuity of its people, and it continues to shape the state's identity today.

*A Letter from a Gentleman in Ireland, to his Friend in London, upon occasion of a Pamphlet, Entituled, A Vindication of the present Government of Ireland, under his Excellency Richard Earl of Tyrconnel.*

S I R,

**A**S soon as the Letter, Entituled, *A Vindication of the present Government of Ireland, &c.* came to my hands, I set upon Answering it with the same expedition, and plainness of Style, as uses to accompany naked Truth, which needs not the cloathing of sophistical Arguments, or florid Expressions, to recommend it to the unprejudic'd part of Mankind: And indeed upon the very first reading of every Paragraph of it, the slightness of the Arguing, or the notorious Falshood of the Matter of Fact, did so evidently appear, that a man of ordinary capacity needs not put his Natural Talent on the Rack to refute them.

The very first Position of the Paper, *viz.* [That *Ireland* is in a better Way of Thriving under the Government of a *Native*, than an *Englishman*;] (by which, I suppose, you mean one not barely so by Birth, but by Inclination, Interest, Education, Religion, &c.) is so false, that it contradicts the Experience and Reason of Mankind, and disgusts one so much in the front of the Letter, that I was tempted to fling it away unread, judging it not worth the loss of so much time, if the rest should prove of the same kind (as indeed I found it upon perusal;) but having ventured through it, I looked upon myself obliged to say something by way of Answer, since in the opinion of some sort of Men, the not Answering (though even the most trifling Pamphlet) is given out to be the Inability of the Party to reply to the weight of such Arguments as are contained in it.

I will not insist much upon the constant Practice of all the Predecessours of our *English* Kings, and their Counsellors, ever since the Conquest of *Ireland*, who made it an establish'd Maxim, in relation to that Kingdom, That none but an *Englishman* should be Chief Governour; inasmuch that (till within these two Years) that Practice gave occasion to the common erroneous opinion, That a man born in *Ireland*, however otherwise qualifi-

ed, was thereby incapacitated from being Lord Deputy: It is certain, that long before the Reformation, when Matters of Religion made no distinction between the Natives of each Country, this was the settled and unalter'd Rule: Have we any reason then to alter it, (now that Religion is put into the Scale, and become the additional weight, which never fails giving the advantage to the side it espouses and adheres to) or rashly to condemn the wise Proceedings of the Ancestours of our Kings, and (contrary to the Opinion of the World) judge our Author's *Irish* Understanding, better than all the *English* ones that have been heretofore?

Our Author will certainly allow *Ireland* to be a conquer'd Country, and consequently that the Conquerours have right to establish Laws with such restrictions and limitations, as shall seem fitting and convenient towards the keeping it in their hands, and the welfare of the Inhabitants; which are of two sorts, the *British Planters*, and the *Natives*. I shall prove, that it has been, and still is, the Advantage of both these, that *Ireland* should be Govern'd by an *Englishman*.

By the way, I would have it understood, that I do not pretend to put these two Interests into any balance: I know the *British* Interest does so far outweigh the other, that it were a wrong done it, to bring them into any competition; more than two parts of three of the Lands of *Ireland*, being (by the several Rebellions of the *Irish*) in *British* hands; and for the Quality, Temper, Industry, &c. there is no comparison: besides, that if one of two Parties is to be pleas'd (tho' by the detriment of the other) 'tis but just, that the Conquerours (who have right to give Law) should be indulg'd; how much more when it is consistent with the welfare of the *Irish* themselves, if they understood their own good?

I am convinc'd, that whatever has been done in favour of the Natives, is pure Grace, and cannot

be claimed as a just Debt, any otherwise than since it has been confirmed by Our Laws, and Acts of Parliament: He that reflects on 1641, will readily assent to this, which makes me admire at the pertinence of our Author, in Capitulating, as if we stood upon even ground with them; but 'tis plain, he considers the Interest but of one Party in that Kingdom, and tho' he names *Ireland* often, he means the Native *Irish* Papiist only. But I proceed

To prove, that it is the Interest of the *British*, that *Ireland* should be Governed by an *Englishman*: I need say no more than that they all ardently desire it; and People are the best Judge of their own Necessities: The common Maxim, *That Interest will not lye*, holds good here to some purpose. The ill effects the contrary method has had on their Persons and Estates, is but too visible. Whoever had seen *Ireland* four Years ago, and would compare its Condition with what is now, from the most thriving and flourishing Country of *Europe*, from a place of the briskest Trade, and best paid Rents in *Christendom*, it is fallen in one Year and a half's time, to Ruine and Desolation: in the most frequent Cities, empty Houses, and melancholy Countenances; in the best Peopled Countries, unmanur'd neglected Fields, and Solitariness: Such a one, I say, might justly exclaim, *Hu! Quantum mutatus ab illo*. But it would be impertinent to insist any longer on this. I must now prove, That 'tis the advantage of the very Natives themselves, (who have long been uneasy under the *English* Government, and often endeavour'd to shake it off) to be Rul'd and Guided by that Nation they hate so much. They are beholding to us for reducing them from a state of Barbarity, which left but little difference between them and Brutes: We taught them to Live, to Eat, Drink, and Lodge like humane Creatures; (if they esteem this any advantage, and do not really prefer their Native Wildness to all the Benefits of Civil Society, Trade, Agriculture, Merchandizing, Learning, &c.) and if the gentleness of the *English* Government could have had any influence on them, they had no reason to be discontented at it: They had the equal Protection of the Laws, in relation to their Estates and Persons; they bore but their just proportion in all Taxes and Cesses: Their Lands improv'd in value, by the means of their *British* Neighbours, and their Rents were much better paid than formerly, whilst themselves were Masters of the whole Island: They had a large connivance for the exercise of their Religion, and were even allowed to hold a National Synod of

their own Clergy in *Dublin*, Anno 1666. The poor Natives were not oppressed, when their severe Land-lords, the *Irish* Gentry, by their cruel Extortions, Casherings, Duties, and Days Labour ruin'd them; who as soon as the *English* Manners prevailed among them, (as they were introduced with difficulty enough, there was need of the Authority of Acts of Parliament to constrain them for their own good) lived plentifully, and in convenient Houses, had their share of the current Coy'n, and proportion of all other Necessaries; to the life and well-being of Man, which now they want; inso much that several of them have been heard to Curse my Lord *Tyrconnel*; for to his Government they attribute their Misery, and acknowledge, they never liv'd so well as under the Direction of the *English* Rulers, nor expected to do so again, till they were restored to the Helm. See the force of Truth, which compels a confession of it, even from the mouths of its Adversaries!

One may easily perceive by our Author's manner of arguing, where the Shoe pinches, he is really concern'd that *Ireland* is not altogether an independent Kingdom, and in the hands of its own Natives: he longs till the day, when the *English* Yoa'k of Bondage shall be thrown off: Of this he gives us broad hints, when he tells us, that [*England* is the only Nation in the World that impedes their Trade:] That [a man of *English* interest will never Club with them (as he phrases it) or Project any thing which may tend to their advantage, that will be the least bar, or prejudice to the Trade of *England*.] Now why a man of *English* interest (unless he will allow none of that Nation to be an able and just Minister to his Prince) should be partial, to ruine one Kingdom, [to avoid the least inconveniency of the other] contrary to the positive Commands of his King, I cannot imagine: For since [it is the Governour's Duty to Rule by Law, and such Orders as he shall receive from His Majesty] I know no grounds for our Author's Arraigning the whole *English* Nation, in saying, That no one man among them, of what Perswasion soever, will be true either to the Laws, or his Majesty's positive Orders, which shall seem repugnant to the smallest Conveniencies of *England*. This is a glory reserv'd only (as it seemes) for his Hero, my Lord *Tyrconnel*.

The Imbargo upon the *West-India* Trade, and the Prohibition of *Irish* Cattel, are the two Instances given.

It were to be wished indeed, for the good of that Kingdom, that both were taken off; and I question



tion not but to see a day wherein it shall seem proper to the King, and an *English* Parliament, to Repeal those Laws; a day wherein they will consider us as their own Flesh and Blood, a Colony of their Kindred and Relations, and take care of our Advantages with as little grudging and repining (I am sure they have the same and no stronger Reason) as *Cornwall* does at *Yorkshire*: There are instances in several Islands in the *East-Indies*, as far distant as *Ireland* is from *England*, that make up but one Kingdom, and Govern'd by the same Laws; but the Wisdom of *England* will not judge it time fitting to do this, till we of *Ireland* be one Man's Children, either in Reality or Affection; we wish the latter, and have made many steps and advances towards it, if the Natives will not meet us half way, we cannot help it, let the Event lie at their own Doors.

But after all, I see not how those Instances have any manner of relation to the *English* Chief Governours in *Ireland*; they were neither the Causes, Contrivers, nor Promoters of those Acts. The King and an *English* Parliament did it without consulting them; if they had, 'tis forty to one, My Lord of *Ormond* and the Council, whose stake is so great in *Ireland*, would have hindred it as much as possible. Our Author's Argument proves indeed, That 'tis detrimental to *Ireland*, to be a subordinate Kingdom to *England* (and 'tis plain, 'tis that he drives at, let him disguise it as much as he will) but the Conclusion he would prove, cannot at all be deduced from it: Shortly, I expect, he will speak plainer, and in down-right terms propose, That the two Kingdoms may be governed by different Kings; Matters seem to grow ripe for such a Difloyal Proposition.

If these Acts (and not the subjection to an *English* King) were the Grievances, they would be so to the *British* there, as well as to the Natives: but though we wish them Repealed, we do not repine; in the mean time, if the *British* who are the most considerable Trading part of that Nation, and consequently feel the ill effects of those Acts more sensibly, can be contented, why the Natives should not acquiesce in it, (unless it be for the forementioned Reasons) I cannot see.

Our Author allows that there are different ways of obeying the King: 'tis a Point gained for us, and proves there may be such a partiality exercised in executing His Majesty's Commands, as may destroy the very intent of them; and yet (taking the matter strictly [the King is obeyed]) but a good Minister will consider his Masters Intention, and not make use of a word that may have a double sense

to the ruine of a Kingdom, nor of a latitude of power, wherewith he is intrusted, to the destruction of the most considerable Party in it: Far be it from us to think it was His Majesties Intentions to depopulate a flourishing Country, to undo multitudes of laborious thriving Families in it, to diminish and destroy his own Revenue, to put the Sword into Mad-mens hands, who are sworn Enemies to the *British*: No! His Majesty, who is willing that liberty of Trade as well as Conscience, should equally flourish in all parts of his Dominions, that recommends himself to his Subjects by his Impartiality in distributing Offices of Trust; and from that practice raises his greatest Argument to move his people to Repeal the Penal Laws; never intended that some general Commands of his should be perverted to the destruction of that people, his intention is to protect. His Majesty (Great as he is) cannot have two Consciences, one calculated for the Latitude of *England*, another for *Ireland*. We ought therefore to conclude, (in respect to the King) that His Commands have been ill understood, and worse executed; and this may be done (as our Author confesses) and the King [undoubtedly obeyed] but such an Obedience is no better than a Sacrifice of the best Subjects the King has in his Kingdom.

Our Author has given very good Reasons why the Natives may be well content with their present Governour, but I cannot forbear laughing at those he has found out to satisfy the poor *British* with: My Lord *Tyrconnel's* most Excellent, Charitable, English Lady: His high sounding Name *TALBOT*, in great Letters, a Name that no less frightens the Poor English in *Ireland*, then it once did the *French*; a Name which because he is in possession of, I will not dispute his Title to, but I have been credibly informed, that he has no relation to that most Noble Family of *Shrewsbury*, (though my Lord *Tyrconnel* presumes to bear the same Coat of Arms): a Name in short, which I hope in time, *Vox & prateræ nihil*.

A Second Reason is drawn from his [Education] We have heard (and it has never yet been contradicted) that my Lord *Tyrconnel* from his Youth upwards, has constantly born Arms against the *British*: If our Author will assure us of the contrary, I am apt to believe his Excellency will give him no thanks, who lays the foundation of his Merit upon the Basis of his constant adherence to the *Irish* Party: What use of Consolation can be drawn from this head by the *British*, is beyond my skill to comprehend.

A third Reason is drawn from his Stake in *England*;

land; the Author would do well to shew us, in what Country this lies, that we may know where to find Reprisals hereafter; for since he offers this for our Security, 'tis fit to enquire into the Title and Value of the Land, before we give so valuable a Consideration.

Thus this great heap of substantial Reasons, together with a large Panegyrick upon his Excellency's fair Face and good Shapes, telling us by the by, how he [ was not kill'd at *Drogheda*, because he run away, ] is enough, and more than enough to demonstrate, that [ the *British* have not the least cause to be dejected, because they are sufficiently secure. ]: But I will agree with the Author in this, That he seems to have been reserved by Heaven against the most critical occasion, that should happen in this Age, reserv'd as one of the Vials of God's Wrath to plague the People.

'Tis well known [ Self-preservation is allowed by God and Man; ] and since he tells us, we are [ People of a contrary Interest, ] he gives us right to provide for our selves and our Families, as well as we may; tis like a generous Aggressor: first he declares who are his Enemies, then gives them warning to put themselves into a posture of Defence. We are beholding to him for this hint, and, I hope, shall make the right use of it. 'Tis below me to take notice of the meanness of the Expression of [ an honest Man's losing his Head in a Crowd, ] and the nonsense of the other, [ The most men bite at the stone, &c. ] Dogs indeed use to do so with us; but this is only to let the World know what Country man our Author is, and it may be 'tis the custom here for these Men to imitate those more rational Creatures.

Our Author seems sensible, that many hard things have been done, which occasioned Clamours against the present Governour; though I think our Grievances ( how intolerable soever ) have been born more silently, than any Peoples since the Creation: since I do not remember any one Pamphlet has hitherto come out, to represent them; ours being of that nature, as stupifies us, and takes away the use of the Tongue and Pen: *Cura levis loquuntur, ingentes stupent*: I say he is not willing this load of Calumny should rest on my Lord *Tyrconnel*, but casts it all on His Majesty, imagining that the respect we bear, ( and justly ) to our King, ought to render us tongue-ty'd in relation to the Maladministration of his Minister. But I have already shewn, how the King's Orders may be stretch'd, and perverted. The very best and most cautiously penn'd Laws have a double edge, and ( if the Ex-

ecutive Power be lodg'd in ill Hands ) have the worst Effect, even to the Punishment of Well-doers, and the Encouragement of them that do Ill; and I question not, in the least, but this is our Case, and as little doubt that our Grievances would be redress'd, did not one of His Majesties most Eminent Virtues interpose between us and His Grace; I mean his Constancy to his old Servants; and our Condition is so much the more deplorable, that His Majesty cannot be a Father of His Country without seeming to desert His Minister; but 'tis to be hoped that at long running, the Groans of a distressed Nation will prevail over all private Considerations.

Whether the Employment His Majesty has given my Lord *Tyrconnel*, has not prov'd the occasion of the Augmentation of his Fortune, ( as our Author insinuates it has not ) shall neither prove the subject of this Discourse, nor object of our Envy. I shall only say, if the report be true, that my Lord owes all his Estate to the King's bounty, 'tis ungratefully done to rob His Majesty of the Honour and Thanks due to him, by denying it; much less is it our business to find fault with the advancement of five *Relations*. In this point Authors differ, for some speak 55 at least: if there had not been the greatest Partiality in the World shewed, we should never have open'd our mouths, if in an Army of about 9000 *English* Officers and Souldiers, there be not 200 left, ( in a Country where the *English* have so much cause to fear ) and those turn'd out for the most part, without any cause assign'd, after the most ignominious disgraceful manner imaginable, stript naked in the Field, their Horses, Boots, Buff-coats, &c. taken from them, giving them Bills to receive so much Money in *Dublin*, as amounted to half the value of their Equipage, and that not paid without Charge and Attendance; have they not reason to fear? If in a Country, whose Government was perfectly in the *English* hands, so sudden an alteration was made, that both the Courts of Judicature, and Charters of their Corporations were taken from them without any fault of theirs, have they not reason to complain, and be afraid? If those very Arms which are taken from them, be put into the hands of their sworn Enemies, and their just Debts paid after a new Method, by bearing or killing the Creditors, when they demand their own, Have they not reason to fear, and desert the Kingdom? If these and an hundred other things do not justify the retreat of several of the *British* into *England*, I know not what shall be adjudged a sufficient Reason. This our Author would insinuate, is caused by a sudden Combination;

as if the Gentry of a Nation could agree together, to do a thing so contrary to their visible Interest, as desert their Houses and Estates, to the loss of one half of them, merely out of spite to the Government.

But because our Author is so good at his Narratives, and would induce the World to believe that there was but two Regiments disbanded [by his talking only of two] and in another place speaking of [some Officers] that were Cashiered. We shall hereafter give a faithful Account of the Proceedings in the business of Disbanding; and in the mean time affirm, That his whole Account of the Affair at *Molingar* is most un sincere. The *English* Soldiers were given to understand, that they were all to be turned out, and the only Grace his Excellency did them, was to declare before a long and tedious March, That such as had a mind, or had Settlements in that Country might better quit then, than hereafter. This is plainly shewn by the turning out (afterwards) all those *English* who then actually continued in the Service; they were glad that any would quit voluntarily, but those that did not, and after a publick Tryal, were willing to serve His Majesty, they soon after turn'd out. Thus the false gloss that our Author puts upon my Lord *Tyrconnel's* Speech is discover'd: And I assure the Reader, the Memoires I have by me are from such unquestionable hands, and there are so many hundred living Witnesses to the truth of them, that our Author will not have the Impudence to deny what may be prov'd before His Majesty, if he require it. I shall only take notice of the ill Application of our Author's Sea-Metaphor. Though in streſs of Weather, the Owner is willing to make use of all hands that may be helpful towards the saving the Vessel, yet he takes care to call for none whose practice it hath been to cut the Tacklings, and to steer contrary to the Pilot's Directions; he thinks such safer by far shut up under Hatches, then set at liberty or employ'd to do mischief: As for his supposition of 30000 men to be sent out of *Ireland*, into *Flanders*, I cannot tell what to make on't. Let them crack the Shell that hope to find a Kernel in it. For my part I despair: though the readiness of the *English* Soldiers of *Ireland*, who at twenty four hours warning came into *England* to serve His Majesty in the time of *Monmouth's* Rebellion, ought to have been remembered to their advantage, and might serve (to any unprejudic'd person) as a Pattern of the Loyalty, and good Inclinations of all the Protestants in

that Kingdom, if His Majesty had had occasion for them. Whether the Parliament will Repeal the *Test* for those several weighty Reasons our Author says [are fitter for Contemplation than Discourse] tho methinks it would be pleasant to see a House of Commons sit like the Brethren at a silent Meeting, is not my Province to determine: As likewise, Whether they will so much consider that Grand Reason [the King will have it so] (for his Conscience and theirs may differ) or what the Dissenters will do, I cannot tell. One thing I am sure of, there will be no such Stumbling-block in the way of the King's desires, when they meet, as the present condition of *Ireland*; they will be apt (when His Majesty tells them, they shall have their equal shares in Employments, when they have Repealed the Laws) to say, Look at *Ireland*, see what is done there, where the Spirit of Religion appears barefac'd! and accordingly compute what may become of us, when we have removed our own legal Fences; Since they now leap over those Hedges, what may we expect when they are quite taken away!

*Poyning's* Law is a great grievance to our Author, and here in one word, he discovers that 'tis the dependence this Kingdom has on *England*, he quarrels at: 'Tis fit the Reader should understand, that Law (enacted when *Poynings* was Lord Deputy) makes all the *English* Acts of Parliament of force in *Ireland*; we are therefore so fond of that Law, and cover so much to preserve our dependence on *England*, that all the Arguments our Author can bring, shall not induce us to part with it.

I will not reflect in the least on the Courage of the *Irish*, I know there are several brave men among them, but they have had the misfortune to fall under the Consideration of (as our Author softens it; but the plain fact is, been beaten by) a Warlike Nation: and, I question not, unless they behave themselves modestly in their Prosperity, they will again fall under the Consideration of the same Nation: 'tis better we should live in peace and quietness, but the Choice is in their hands, and if they had rather come under our Consideration again, than avoid it, let them look to the Consequence.

Another Advantage which may accrue to *Ireland* by a Native, as Governour, our Author reckons to be, *His personal knowledge of the Tories, and their Harbourners, and his being thereby better capacitated to suppress them.* Malicious People would be apt to infer from this Suggestion, that his Excellency had occasion formerly to be familiarly acquainted with such sort of Cattle. I have heard indeed,



deed, that one of our bravest *English* Princes, *Henry* the during the Extravagancies of his Youth, kept company with publick Robbers, and often shar'd both in the Danger and Booty: But as soon as the Death, of his Father, made way for his Succession to the Crown, he made use of his former acquaintance of their Persons and Haunts, to the extirpating and dissolving the greatest knot of Highway-men, that ever troubled *England*. My Lord therefore ( in imitation of this great Prince, no doubt) will make use of his Experience that way, to the same end: and I readily assent to the Author, that no *English* Governor can be so fit to clear that Kingdom of Tories, and that for the same reason he gives us.

There are two other Advantages remaining; one is, his Excellency's having already made different Parties in that Kingdom, the Objects of his Love and Hatred, let the Offences of the one, or the Merits of the other, be never so conspicuous: Whether the *British* can draw any comfort from his Excellency's knowledge of them this way, is fit to be debated. The other is, the probability of his getting the Statute for benefit of Clergy, in favour of Cow-Stealers, and House-Robbers Repealed; and where, by the way, there is a severe Rebuke given to our *English* Priests, for their ill-placed Mercy to *Irish* Offenders: A fault I hope they will be no more guilty of.

Whether these Advantages be so considerable as to move His Majesty to continue a Man (for other more weighty Reasons) absolutely destructive to this Kingdom, or whether some of them might not be performed by an *English* Governour, His Majesty is the only Judge: Only this I am sure of, The King (if he were under any Obligations to His Minister) has fully discharged them all, and has shewed himself to be the best of Masters, in giving so great and honourable an Employment to his Creature, and continuing him in it so long, notwithstanding the decrease of his own Revenue, and

Dublin, 1688.

the other visible bad effects of his Management; the Impoverishment of that Kingdom, amounting to at least two Millions of Money: And His Majesty may be now at liberty (without the least imputation of Breach of Promise to his Servant) to restore us to our former flourishing condition, by sending some *English* Nobleman among us, whose contrary Methods will, no doubt, produce different effects.

To conclude, methinks the comparison between His Majesty and *Phillip of Macedon*, when he was drunk, is a little too familiar, nor to say unmannerly, and that between *Antipater*, and my Lord *Tyrconnel*, is as great a Complement to the latter.

But provided my Lord be commended, which was our Author's chief design, he cares not tho' the comparison does not hold good in all points; tis enough that we know we are Govern'd by such a Prince that neither practises such Debauches himself, nor allows of them in his Servants. But we are not beholding to the Author for the knowledge of this; should a Forreigner read his Pamphlet, or get it interpreted to him, he would be apt (and with reason) to conclude, that His Majesty as much resembled *Phillip* in a Debauch, as my Lord *Tyrconnel* does sober *Antipater*.

I have now done with all that seems of any weight in our Author's Pamphlet; and can see nothing in his Postscript that deserves an Answer. All that I will say is, That his *Recipes* bear no proportion to our desperate Disease, and he will prove not to be a Physician, but a pretending Quack, who by ill applied Medicines will leave us in a worse Condition then he found us.

I shall conclude with telling you, That your Letter which enclosed the Pamphlet, whereof I have here given you my thoughts, was more than a Fortnight on the way, or else you had received this sooner. I am,

S. R.

Your most humble Servant,

A LETTER from a Freeholder, to the rest of the Freeholders of ENGLAND, and all Others, who have Votes in the Choica of Parliament-Men.

THE Power of Parliaments, when they are duly Elected, and rightly Convened, is so very Great, that every Man who has any

Share in the Choica of them, has the weight of his whole Country lying upon him: For it is possible for my single Vote to determine the Election of that

Parliament-Man, whose *single Vote* in the Parliament House, may either *save* or *sink* the Nation.

And therefore it behoves Men, who thus dispose both of themselves and their Posterity, and of their whole Country at once, to see that they put all these into safe hands, and to be as well advis'd, as much in earnest when they chuse Persons to serve in Parliament, as they usually are when they make their Last Will and Testament. And if this is to be done at all times, certainly a much greater proportion of Care is to be taken at this time, when endeavours have been used, not only to forestal the Freedom of Elections, but even the Freedom of Voting in the Parliament House: and when the Counties of *England* have been practis'd upon, to be made Repealers, both within doors and without: They have been Catechis'd, whether, if they were Parliament-Men, they would Repeal the *Penal Laws* and *Tests*; or, if they were not chosen themselves, whether they would chuse such as would. And as for the *Boroughs*, they have been all of them Sifted to the very *Bran*: Nay, some Persons have been wrought upon to enter into Engagements beforehand, in their Addresses: But, I suppose, those that have been so very forward to promise themselves to serve a Turn, will never be thought worthy to serve in Parliament. And at the same time others have made it their business, to render these *Laws* very odious to the People, and to hoot them out of the World; they have been Arraign'd and Condemn'd as *Draconicks*, as *Bloudy* and *Canibal Laws*, as *Ungodly Laws*, and contrary to the Divine Principle of *Liberty of Conscience*, without the common Justice of ever being heard: For the preambles of these *Laws*, which shew the Justice and Equity of them, and the reasonableness both of their Birth and Continuance, have been industriously suppressed. This indeed has been a very bold Adventure, for I am apt to think there is much Truth in my Lord Chief Justice *Coke's* Observation, *That never any Subject wrestled a Ball with the Laws of England, but they always broke his Neck*: And therefore, according to the Courtesie of *England*, I shall wish *Friend Will. Pen*, and his Fellow-Gamesters, a good Deliverance. But while they have taken the liberty to say their Pleasure of these *Laws*, which are now in as full Force as the day they were made, I shall take leave, according to the Duty of a Loyal Subject, (with whom the *Laws* of the Land are a Principle, and who must always own the Majesty and Authority of them, till such time as they are Repealed) to offer a few words in their behalf, which shall be dictated by

nothing but *Law, Truth, and Justice*; and if every word that I say, do not appear to be such, I am content to have this whole Paper go for nothing, and be as if it had never been Written.

And to proceed the more clearly and distinctly, I shall first consider the *Penal Laws*, (as they are called) against the Papists, and the two *Tests*: And secondly, the *Penal Laws* against the Dissenters.

In the Statute 3 *Jacobi* c. 1. which is Read every Fifth of *November* in our Churches, the *Laws* made against the Papists in Queen *Elizabeth's* time, and the Confirmation of them 1 *Jacobi*, (against which the great Outcry is now made, and for the sake of which, they then attempted to blow up both the King and Parliament) are called *Necessary and Religious Laws*: And if I prove them to be undoubtedly such, I hope the good People of *England* will look upon them an hundred times, before they part with them once.

First, The *Laws* against the Papists are *Religious Laws*; they are *Laws* made for the high Honour of God, as well as for the common Profit of the Realm, which is the old Title of all our *Laws*, and is the right End to which all *Laws* ought to be directed. But why are they called *Penal Laws*; for have not all *Laws* a *Penalty* annexed to them? Perhaps they mean, that these are *Laws* which interpose in Matters indifferent, such as the Eating of Flesh on Frydays. But is not Popery *Malum in se*? Is Idolatry an Evil only by chance, and by happening to be prohibited? Is not the Worship of a *Wasser-God*, an *Onion-God*, or a *Red-cloth-God*, an unspeakable Dishonour to the God of Heaven, in all Places, in every Season of the Year, every Day of the Week, and all Hours of the Day? Is it not eternally Evil? The *Laws* of the Land found Idolatry prohibited to their hands, by the written Law of God, and even antecedently to that, it was prohibited by the Law of Nature; and no Municipal *Laws* in the World need desire a better Warrant: And therefore to Repeal the *Laws* made against the *Idol of the Mass*, *Agnus Dei's*, *Blocks-Altmighty*, and the infinite Idolatry which is interwoven with Popery, is neither more nor less, than to undertake to Repeal the *Laws* of God.

Secondly, The *Laws* made against the Seminary Priests, and Romish Missioners, are *Religious Laws*, because they are made in pursuance of St. *John's* Precept, 2 *Epist.* 10. 11. *If there come any unto you, and bring not this Doctrine, receive him not into your house, neither bid him God-speed*: For

be that biddeth him God-speed, is partaker of his evil deeds. But do the Seminaries come and bring us the true Doctrine of Christ? Do they not bring us another Gospel? As Dr. *Sherlock* hath unanswerably proved upon them, in the Second Part of his *Preservative against Popery*. And therefore as every private Man is bound to shut his Doors against these Deceivers and Seducers, by the same reason every Community is bound to expel and drive them out of the Nation. And I think there were never such errant Cheats and Impostors as these are: for they, by their Masses, can fetch Souls out of Purgatory, of their own putting in; they can forgive Sins, in the Sacrament of Confession; they can drive away the Devil, with Crosses and Holy Water; and they can make their God, in the Sacrament. *They make a God! they make a Pudding!*

Again, The *Laws* against the Papists, are called *Necessary Laws*, and so they were to the very Being of the Kingdom. In the first of *Elizabeth*, the *Oath of Supremacy* was absolutely necessary to throw off the Romish Yoke, and that intolerable Usurpation and Tyranny of the Pope, under which both the Crown and Kingdom were perfect Slaves: And afterwards, was it not time to look after the Pope's Chaplains, when they had raised a Rebellion in the *North*, and he himself had sent a Bull to Depose the Queen, and to Absolve her Subjects from their Allegiance? I do not mention the continual Minings of the Queen of *Scots*, in which the Popish Party always joyned with her; and besides, had drawn in several deluded Protestants; which made a great Jest to the Papists, That Protestants should be so Infatuated, as to assist the Queen of *Scots* to their own Destruction; as is to be seen in Sir *Francis Walsingham's* Letter, written from *Paris*, still extant in the *Cabala of Letters*. In short, it appears by the Preambles of all those Statutes in that Reign, that the Kingdom made every one of them in their own Defence, and to preserve themselves from Popish Attempts, and that the Nation had utterly perished without them.

And then in King *James's* time, did not the Papists dig under the very Pillars of the Kingdom, and make them shake, when they laid so many Barrels of Gunpowder under the Parliament-House? And was it not high time to tye their Hands by the Acts which followed; by more closely confining them to their Houses, by banishing them ten Miles from *London*, by disabling them not only from all Offices, but from being in any Publick Employment, and by thoroughly disarming them, so much as from wearing a Sword.

And was it not time, in the late King's Reign, to put new life into the Disabling Acts, by the addition of a *Test*, when several Papists had gotten the greatest Offices of the Kingdom into their hands? And then as for the *Parliament-Test*, that the Papists may not be our *Law-givers*, besides the perpetual necessity of such a Law, the Occasion of it is still upon Record, both in Mens Minds, and very largely in the Journal of the House of Lords, and in other inferiour Courts of Record.

And if these were all of them *Necessary Laws* when they were made, they are become ten times more necessary since: for now Popery has beset us, and hemmed us in on every side. We have an Army of Priests and Jesuits, the true Fore-runners of Antichrist, in the Bowels of the Kingdom; nay, the Pope himself, who by several *Laws* is declared to be the Publick Enemy of the Kingdom, has arrived some time since in his *Nuncio*, and is now compassing the Land in his Four Apostolick Vicars. And therefore to talk of Repealing *Laws*, when we want the strictest Execution of them, is talk only fit for *Bedlam*: and that Nation which Repeals *Necessary Laws*, when it has the greatest necessity for them, must be concluded to be weary of its own Life, and is *Felo de se!*

Secondly, I am now come to the *Penal Laws* against the Dissenters, concerning which, I shall say the less, because God's time for the Repealing of those *Laws* is not yet come. For if they cannot be Repealed in this Juncture of time, unless the Dissenters put forth their hands to the setting up of Idolatry, when they cannot be Repealed: and therefore what cannot be now done without manifest Impiety, must even be let alone till it can be done with a good Conscience. As for the good Disposition which is in the Conformists, to Repeal those *Laws*, with the first opportunity, that is always to be measured by Actions rather than Words, and therefore I shall give them an instance of it in the Bill for Repealing the 25th of *Elizabeth*, which passed both Houses of a *Church of England* Parliament, though the Dissenters lost the benefit of that Pledge, and Earnest of their Good-will, and are not ignorant which way it was lost. But in the mean time, if our Dissenting Brethren should endeavour to get these *Laws* Repealed, by parting on their side with the *Laws* against Popery, then I beg of them to mind the plain English of such Conditions. It is as if the Dissenters should say thus to the Papists: *Do you help us to set up Meeting-Houses, and we will do as much for your Mass-Houses: Let but the pure Worship of God be Established without*



without Ceremonies, and we are content that Idolatry itself shall go share and share-like in the same Establishment: to make a Magna Charta which shall be equal, let Christ have his part in it, and Antichrist shall be sure to have his: Our business is, to receive the Sacrament without Kneeling; and upon that Condition, we will joyn in the making of Laws, which shall Authorize the Deifying a bit of Bread, the Worshipping of it for a God, the Praying to it, Idolatry, Blasphemy, any thing in the World for them that like it.

Now is not this a very fair Speech, and does it not well become the mouths of Protestants! I would fain press this home upon the Consciences, both of those Dissenters who are hired, and of those who are not hired, to labour the Repeal of our Laws: Do you fear the Informers more than God? Will you for the sake of your little Conventicles, do the greatest Evils, which you know to be such? You know in your very Hearts, that the Worship of Images, Crosses, and of a Waser, is abominable Idolatry; that the Half-Communion is Sacriledge; and that many other Points of Popery are blasphemous Fables: And will you set up this for one of your Religions, as by Law Established? Will you do all that hands can do, to entail Idolatry upon the Nation, not only *Removendo prohibens*, as Divines distinguish, by pulling down the Laws which hinder it, but also *Promovendo adjvans*, by making a perpetual *Magna Charta* for it? The Laws and Constitution of a Country do denominate that Country; if *Atheism* were Authorized by Law, this would be an *Atheistical Nation*; and if *Idolatry* be set up by Law, it is an *Idolatrour Nation*; and all that have any hand in it, make it the Sin of the Nation, as well as their own. Think therefore of these things in time, before you have involved both your selves and your Country in a miserable Estate; and remember poor *Francis Spira*, who went against Light.

But Secondly, There is just as much Prudence as Conscience in these Proceedings; for by Repealing the Laws against Popery, you Reverse the Outlawry, and take of those legal Disabilities which the Papists now lie under, and which have hitherto tied their Hands from destroying Hereticks. When Papists shall be right Justices and Sheriffs, and not Counterfeits, when they shall be *Probi & legales homines*, and pass Muster in Law, when they shall be both our legal Judges, and our lawful Juries, and when Protestants shall come to be Tried by their Coun-

try, that is to say, by their Twelve Popish God-fathers, they may easily know what sort of Blessing they are to expect. The Papists want nothing but these Advantages to make a fair riddance of all Protestants; for we see by several of their late Pamphlets, that if any thing be said against Popery, they have a great dexterity in laying it Treason. Now this is a civil way of answering Arguments, for which we are bound to thank them, because it so plainly discovers what they would be at, if it were in their Power. But how comes it to be Treason, to speak against a Religion which is itself High-Treason and is Proscribed by so many Laws? Why, their Medium is this, That Popery is the King's Religion, and therefore, by an *Inuendo*, what is said against that, is meant against him. But is there any Law of *England*, that Popery shall be the King's Religion? Or is it declared by any Law, that Popery either is, or can be his Religion? On the other hand, we are enabled by an Act in this very Reign, to pronounce Popery to be a False Religion, and to assert the Religion which is now professed in the *Chyreh of England*, and Established by the Laws of this Realm, to be the True Christian Religion. [Act for building *St. Ann's Church*, p. 133.] But these Gentlemen, it seems, are for Hanging Men without Law, or against Law, or any how; and therefore we thank them again, for being thus plain with us before-hand. Now if they be thus insolent, when they are so very abnoxious themselves, and have Halts about their own Necks, with what a Rod of Iron will they Rule us, when they are our Masters? What havock will they then make of the Nation, when we already see *Magdalen Colledge*, which was lately a flourishing *Society of Protestants*, now made a *Den of Jesuits*; and that done to in such a way, as shakes all the *Property in England*? Or who can be safe after our Laws are Repealed, when Endeavours have been lately used, to extract *Sedition* even out of Prayers and Tears, and the Bishops Humble Petition was threatned to be made a *Treasonable Libel*.

But here the Dissenters have a plausible excuse for themselves; for say they, We have now an opportunity of getting the Laws which are against us Repealed, which is clear gain; and as for our refusing to Repeal the Laws against Popery, there is nothing gotten by that, either to us or to any body else; for they are already as good as Repealed by the *Dispensing Power*: and therefore such Discourse as this, only advices us

to stand in our own light, without doing any good to the Nation at all; for there will be Popish Justices, Sheriffs, Judges, and Juries, whether we will or no, for whatsoever we refuse to do, the *Dispensing Power* will supply.

To which I answer, Do you keep your hands off from Repealing the Laws, let who will contravene or Transgress them, for then you are free from the Blood of all Men; you have no share in the guilt of those Mischiefs which befall your Country, which would, sooner or later, be a heavy burden, and a dead weight upon the Conscience of any Protestant. But besides, let the *Laws* alone, and they will defend both themselves and us too; for if the Law says, That a Papist shall not, nor cannot have an Office, then he shall not nor cannot; for who can speak Louder than the Laws?

As for a *Dispensing-Power*, inherent in the King, which can set aside as many of the *Laws* of the Land as he pleases, and Suspend the Force and Obligation of them, (which has been lately held forth by many False and Unlawful Pamphlets) the Dissenters know very well, that there is *no such thing*; but that no body may pretend Ignorance, I shall here prove, in very few words, That by the Established *Laws* of the Land, the King cannot have such a *Dispensing-Power*, unless *Dispensing* with the *Laws*, and *Executing* the *Laws* be the same thing; and unless both keeping the *Laws* himself, and causing them to be kept by all others, be the *Englisb* of *Dispensing* with them: For in the Statute of *Provisors*, 25 *Edw.* 3. c. 25. we have this laid down for *Law*, That the King is bound to *Execute* those Statutes which are *Unrepealed*, and to cause them to be kept as the *Law* of this Realm: The words are these, speaking of a Statute made in the time of *Edward* the First, Which Statute holdeth always his Force, and was never Defeated or Annul'd in any point. And by somuch our Sovereign Lord the King is bound by his Oath to do, the same to be kept as the *Law* of this Realm, although by Sufferance and Negligence it hath since been attempted to the contrary. So that the *Coronation Oath*, and the *Dispensing-Power*, are here by King *Edward* the Third, and his *Parliament*, Declared to be utterly Inconsistent. Now the *Coronation-Oath* is a *Fundamental Law* of this Kingdom, for it is antecedent to the *Oath of Allegiance*. Accordingly if you look upon the *Coronation-Oath* in the *Parliament-Roll*, 1 *H.* 4. you shall there find,

that in the third Branch of it, the King Grants and Promises upon his Oath, *That the Laws shall be kept and protected by him*, secundum *Vires suas*, to the utmost of his Power; and therefore he has no Power left him to *Dispense* withal.

By which it appears, that those men are the wretched *Enemies* both of the King and Kingdom, who would fain persuade the King, that he has this *Dispensing-Power*; because therein they endeavour to persuade him, that *Perjury* is his Prerogative. Heretofore, in *Trisilian's* time, some of the Oracles of the *Law* were consulted, Whether it could stand with the *Law* of the Kingdom, that the King might *Obviate* and *Withstand* the Ordinances concerning the King and the Kingdom, which were made in the last *Parliament*, by the Peers and Commons of the Realm, with the King's Assent, though (as the Courtiers said) forced in that behalf? And they made Answer, That the King might *Annul* such Ordinances, and *Change* them at his pleasure, into a better fashion, because he was *above* the *Laws*, *Knyghton*, Col. 2693. Now this was very False *Law*, as those Judges found afterwards to their Cost; and it was grounded on the worst Reason that could be: For they must needs know from all their Books; and from the *Mirror* in particular, p. 282. *That the first and Sovereign Abusion of the Law*, (that is, the chief Contrariety and Repugnancy of it) is for the King to be *Above the Law*, whereas he ought to be *Subject* to it, as is contained in his Oath. Neither could they be ignorant of that Argument which the Peers used, to shew the Absurdity of such a Supposition; it is recorded in the *Annals* of *Burton*, set forth, as I take it, by Mr. *Obadiah Walker*. *Si Rex est supra Legem, tunc est extra Legem; Num Rex Anglia est Exlex?* If the King be above the *Law*, then he is without the *Law*. What! is the King of *England* an *Outlaw*? And as for the words of *Bracton*, they were too plain either to need a Comment or Translation, *Rex habet Superiorem Deum, item Legem per quam factus est Rex, item Curiam suam, scil. Comites & Barones*. As likewise those other words of his *Ubi Voluntas Imperat & non Lex, ibi non est Rex*, Where he makes it the very Essence of our King, to Govern according to *Law*.

Having therefore shewn, that the *Laws* are always in full Force till they are Revoked by the same Authority which made them, and that all Persons whatsoever bound to the *Laws*, and that

that the *Laws* themselves were never in Bondage to any Man; we know from thence, what we are to conclude, concerning those Papists, who pretend to be in Office in *Defiance* to the *Laws*. We had oncè a mischievous Distinction of Sheriffs *de Jure*, and Sheriffs *de Facto*; But those, who pretend to be in Office without taking the *TEST*, are no Officers either in *Right* or in *Fact*: for the 25 *Car. 2.* says, That their Offices are *ipso facto*, void, and then those Officers are *ipso facto*, no Officers, and can do us no more hurt than if they were under Ground; and therefore we need not trouble our Heads about them, though they may in all likelihood fall under the Care and Consideration of a *Parliament*.

After all, some persons may possibly be so far deluded, as to think there is somewhat of *Equity* in the Toleration of Papists, and that it is the Christian Rule, *Of doing as one would be done by*. Now for any Papist to plead this Rule of *Equity* himself, or any body else in his behalf, is just as if a High-way Man should thus urge it upon his Judge; *My Lord, if you hang me, you break the Golden Rule; for I am sure you are not willing to be so served yourself, nor to hang with me*. Now the *Equity* of the Judge in this case does not lye, either in forbearing to punish the Offender, or in Hanging with him for Company, but in being content to submit to the same *Law*, if he himself should commit the same *Crime*. And so are we willing to lye under all the Penal *Laws*, whenever we turn Papists: And therefore no body can tax us with want of *Equity*; because we do no otherways to the Papists, than we are willing to be done by, in the same case. But it may be said, that our Conscience does not serve us to be Papists, though theirs does. Neither does the Judges Conscience serve him to rob, though it seems the High-way Man's did; and therefore take heed of *Liberty of Conscience*. Still it may be further replied, That this is properly a *Judicial* Cause, because *Robbery* is a breach of the Peace and of Property, and therefore ought to be Punished: whereas the *worship* and *Service of God* according to a Man's Conscience, though it be amiss, yet it ought not to be punished by *Humane Laws*, but is to be referred to the Judgment of God alone, who is Lord of Conscience.

Now this is the New Doctrine which I shall prove to be False, by positive and express Scri-

pture. For *Job* says, *Chap. 31. Ver. 28.* That if his Heart had been secretly perswaded, and he had thereupon kissed his Hand to the Sun or Moon, *This were an Iniquity to be punished by the Judge*, because he had therein Lyed against the God above. So that though a Man's Heart and Conscience lead him to Idolatry, yet *Job* tells us, this is inditable; it is *Avon Pelili*, a Judicial Crime, and as Punishable by Humane Laws, as Adultery with another Man's Wife is; as you have it in the same Phrase in the 11th Verse of the same Chapter.

The Second Instance of a Punishable Conscience in the Service of God, is that which our Saviour gives us, *John 16. 2.* *Yea the time cometh, that whosoever killeth you, will think he doth God service*. Now I would fain know, whether such a Conscience as this ought not to be Restrained and Punished: And whether it be Sacrilege for Humane Laws to controul Conscience, I mean such a one as Kills and Murders for God's sake? And I ask again, Whether there be no Consciences of this Stamp now in the World? And whether there has not been an Holy Inquisition, Religious Crusadoes, and Meritorious Massacres, to extirpate Hereticks, and abundance of this *Divine Service* in the Church of *Rome*? Whether they have not offered up whole Hecatombs of these Sacrifices in most Countries? And whether a Neighbouring Prince has not been highly extolled, and had all his most Christian Titles double Gilt with the Flatteries of his Clergy, for the late Merit of his *Religious Service* in this kind? And therefore if men will do things in order, let them first send for a breed of *Irish Wolves*, and give them *English Liberties*; let them dig down their Walls, and let in the Sea; let them begin with some of these Preliminaries, before they think of Repealing the *Laws* against Popery, and of letting loose such Consciences as these upon us.

To Conclude therefore, It highly Concerns you, in the Choice of Parliament-Men, to decline all those Men, who are willing to Consent to so Great and so Fatal a Revolution, as the Repeal of so many *Laws* at once; which would plainly expose the Protestant Religion to be swallowed up: You want Men like their Ancestors, who had the Courage and Resolution to declare in Parliament, *Nolumus Leges Angliæ mutari*: We will not have the *Laws* of

England altered. Chuse such as will not Betray the Great Trust you repose in them. The Writ for Elections says, That you Impower your Representatives: Tell them therefore for what you Impower them; For the Maintenance and Preservation of the Protestant Reli-

gion, and of our good Laws, and not for their Destruction. And when you have done this, and taken all the care you can, you have done your Duties: And I have nothing more to add, but, *G O D speed your Elections.*

*An ENQUIRY into the Reasons for Abrogating the TEST imposed on all Members of Parliament.*

*Offered by Sa. Oxon.*

WHEN the Cardinals in Rome go abroad without *Fiocco's* on their Horses heads, it is understood, that they will be then *incognito*, and they expect nothing of that Respect which is payed them on other Occasions. So since there is no *Fiocco* at the Head of this *Discourse*, no Name nor Designation, it seems the Writer offers himself to be examined without those nice regards, that may be due to the Dignity he bears: and indeed when a Man forgets what he is himself, it is very natural for others to do it likewise.

It is no wonder to see those of the *Roman Communion* bestir themselves, so much as they do, to be delivered from the *Test*, and every thing else, that is uneasy to them: and though others may find it very reasonable to oppose themselves, in all the Just and Legal Ways, that agree with our Constitution, to this Design, yet it is so natural to all, that are under any Pressure, to desire to get free from it, that at the same time that we cannot forbear to withstand them, we cannot much condemn them: But it raises Nature a little, to see a *Man* that has been so long sated with the *Spoils* of our *Church*, and who has now got up to a degree so disproportioned to his Merit, to turn so treacherously upon it. If he is already weary of his comfortable importance, and will give her into the bargain, and declare himself, no body will be surprized at the change of his *Masque*, since he has taken much pains to convince the World, that his *Religion* goes no deeper than his *Habit*: yet though his Confidence is of a piece with

all his other Vertues, few thought it could have carried him so far; I confess I am not surprized, but rather wonder to see, that others should be so: for he has given sufficient Warning what he is capable of; he has told the World *what is the worst thing that Dr. Burnet can do*, pag 50. but I am sure the *Doctor* cannot be quit with him, to tell what is the *worst thing* that he can do; it must needs be a very fruitful Fancy, that can find out all the Degrees of Wickedness to which he can go: and though this Pamphlet is a good Essay of his Talent that way, yet that *Terra Incognita* is boundless. In the *Title Page* it is said, that this was *first writ for the Author's own Satisfaction*, and now *Published for the Benefit of all others whom it may concern*. But the words are certainly wrong placed; for the truth of the matter is, That it was written for the *Author's own Benefit*, and that it is now *Published for the Satisfaction of all others whom it may concern*: In some sense perhaps it was written for the *Author's own Satisfaction*: for so petulant and so depraved a mind as His, is capable of being delighted with His Treachery: and a poor *Bishoprick* with the addition of a *Presidentship* being too low a Prize for his Ambition and Avarice, He resolved to assure Himself of the first great *Bishoprick* that falls; the *Liege Letter* lets us see how far the *Jesuites* were assured of him, and how much courted by him: and that he said, *that none but Atheists supported the Protestant Religion now in England*; yet how many soever of these may be among us, He is upon the point of lessening their number, by one at least;



least: and he takes care to justify the Hopes which these Fathers conceiv'd of him.

They are severe Masters, and will not be put off with Secret Civilities, Lewd Jest, Entertainments, and Healths drank to their good Success; so now the Price of the *Presidentship* is to be paid, so good a Morfel as this deserved that Dr. *Stillingfleet*, Dr. *Tillotson*, Dr. *Burnet*, and some other Divines should be ill used, and he to preserve the Character of *Drawcanfir*, which is as due to him as that of *Bays*, falls upon the *Articles of the Church*, and upon both *Houses of Parliament*. It is Reproach enough to the *House of Lords*, that he is of it; but it is somewhat new, and a Character becoming *Sa. Oxon*, to arraign that *House*, with all the Insolence to which he can raise his wanton Pen. Laws that are in being, are treated with respect even by those who move for their Repeal; but our *Drawcanfir* scorns that modest strain, He is not contented to arraign the Law, but calls it *Barbarous*, and says, *that nothing can be more Barbarous and Prophane, then to make the renouncing of a Mystery, so unanimously received, a State Test, p. 133. p. 64.* But he ought to have avoided the word *Prophane*, since it leads Men to remember, that he had taxed the Praying for the King, *as under God and Christ, as Crude*, not to say *Prophane*: when in the Prospect he had then of a *Bishopricks* he raised the King above Christ, but now another Prospect, will make him sink him beneath the Pope, who is but at best Christ's Vicar. But this is not all, there comes another Flower that is worthy of him, he tells us, *That the TEST was the first born of Oats's Plot, and brought forth on purpose to give Credit and Reputation to the Perjury, p. 5.* and because this went in common between the two Houses, he bestows a more particular mark of his Favour, on the *House of Lords*: and tells them, *That this was a Monument erected by themselves in honour of so gross an Imposture, (ibid.)* But after all, the Royal Assent was added; and here no doubt it itched somewhere, for if it had not been for the manner of the late King's Death, and the Papers published since his Death, he would have wreaked his Malice upon his Memory, for he will never forgive his not advancing him: And the Late King being so true a Judge of Wit, could not but be much taken with the best *Satyr* of our Time; & saw that *Bays's* Wit, when measured with ano-

thers, was of a piece with his Virtues, and therefore judged in favour of the *Rehearsal Transpros'd*: this went deep, and though it gave occasion to the single piece of Modesty, with which he can be charged, of withdrawing from the Town, and not importuning the *Prefis* more for some years, since even a face of *Brafs* must grow red, when it is so burnt as his was then; yet his Malice against the Elder Brother was never extinguished but with his Life: But now a strange Conjunction has brought him again on the Stage; and *Bays* will be *Bays* still.

He begins his Prologue with the only soft word in the whole piece, *I humbly Conceive*, but he quickly repents him of that *Debonarity*, and so makes *Thunder* and *Lightning* speak the rest, as if his Designs were to Insult over the two Houses, and not to convince them. He who is one of the *Punics* of his Order, and is certainly one of its justest Reproaches, tells us pag. 8. *That to the Shame of the Bishops, this Law was consented to by them in the House of Lords*: But what Shame is due to him, who has treated that *Venerable Bench*, and in particular his *Metropolitan*, in so scurrilous a manner. The Order has much more cause to be ashamed of such a Member: though if there are two or three such as he is among the twenty Six, they may Comfort themselves with this, that a dozen of much better Men, had one among them, that I confess was not much worse, if it was not for this, that he let the Price of his Treachery fall much lower than *Sa. Oxon* does, who is still true to his old Maxim, that he delivered in Answer to one who asked him, *What was the best Body of Divinity? which was, That that which could help a man to keep a Coach and Six Horses was certainly the best.* But now I come to Examine his Reasons for abrogating the *Test*.

The first is, *That it is contrary to the Natural Rights of Peerage, and turns the Birth-Right of the English Nobility, into a Precarious Title: which is at the mercy of every Faction and Passion in Parliament, and that therefore, how useful soever the TEST might have been in its Season, it some time must prove a very ill President against the Right of Peerage: and upon this he tells a Story of a Protestation made in the House of Lords, against the TEST, that was brought in, in 1675. together with the Resolution of the House against that Penalty upon the Peers, of losing their Votes in case of a Refusal; he represents this, as a Test*

or Oath of Loyalty, against the Lamfulness of taking Arms upon any pretence whatsoever against the King.

But in Answer to all this, one would gladly know what are the *Natural Rights of Peerage*, and in what Chapter of the Law of Nature they are to be found, for if those Rights have no other Warrant, but the Constitution of this Government, then they are still subject to the Legislative Authority, and may be regulated by it. The Right of Peerage is still in the Family, only as the exercise of it is limited by the Law to such an Age, so it may be suspended as oft as the Publick Safety comes to require it: even the indelible Character it self, may be brought under a total Suspension, of which our Author may, perhaps, afford an instance at some time or other.

2. Votes in either House of Parliament, are never to be put in Ballance with Establish'd Laws: These are the Opinions of one House, and are changeable.

3. But if the TEST might have been useful in its Season, one would gladly see how it should be so soon out of Season: for its chief Use being to secure the Protestant Religion in 1678. it does not appear, That now in 1688. the Dangers are so quite dissipated, that there is no more need of securing it. In one sense we are in a safer Condition than we were then: for some false Brethren have shewed themselves, and have lost that little Credit which some unhappy Accidents had procured them.

4. It was not the Loyalty in the TEST of the Year 1675. that raised the greatest Opposition to it: but another part of it, *That they should never Endeavour any Alteration in the Government, either in the Church or State.* Now it seemed to be an unreasonable Limitation on the Legislative Body, to have the *Members* engaged to make no Alteration: And it is that which would not have much pleased those, *For whose Satisfaction this Book is published.*

The second Reason was already hinted at, of its dishonourable Birth and Original, p. 10. which according to the decency of his stile, he calls the first Sacrament of the Otesian Villany, p. 9. This he aggravates as such a Monstrous and Inhuman piece of Barbarity as could never have entered into the thoughts of any Man but the infamous Author of it: This piece of Elegance, though it belongs to this Reason, comes in again in his

Fourth Reason, page 6. and to let the House of Lords see their Fate, if they will not yield to his Reasons, he tells them that this will be not only an *Eternal National Reproach*; but such a blot upon the Peers, that no length of time could wear away, nothing but the Universal Conflagration could destroy, which are the aptest Expressions that I know to mark how deeply, the many blots with which he is stigmatized, are rooted in his Nature. The wanton man in his *Drawcansir* humour thinks that *Parliaments* and a *House of Peers* are to be treated by Him with as much Scorn as is justly due to himself. But to set this matter in its true Light, it is to be remembered that in 1678. there were besides the Evidences of the *Witnesses*, a great many other Discoveries made of *Letters and Negotiations* in Forreign Parts, chiefly in the Courts of *France* and *Rome*, for Extirpating the *Protestant Religion*; upon which the *Party* that was most united to the *Court*, set on this Law, for the *Test*, as that which was both in itself a just and necessary Security for the Establish'd Religion, and that would probably lay the fermentation which was then in the Nation: and the *Act* was so little acceptable to him, whom he calls *its Author*, that he spoke of it then with Contempt, as a *Trick* of the Court to lay the Nation too soon asleep. The Negotiations beyond Sea were too evidently proved to be denied; and (which is not yet generally known) Mr. Coleman when Examined by the *Committee* of the House of *Commons*, said plain enough to them, that the Late King was concerned in them; but the *Committee* would not look into that Matter, and so Mr. *Sacheverill*, that was their Chairman, did not report it; yet the thing was not so secret but that one to whom it was trusted, gave the Late King an Account of it; who said, That he had not heard of it any other way, and was so fully convinced that the Nation had cause given them to be jealous, that he himself set forward the *Act*, and the rather because he saw that the *E. of S.* did not much like it. The Parliament as long as it was known, that the Religion was safe in the King's Negative, had not taken any great Care of its own Constitution; but it seemed the best Expedient that could be found, for laying the Jealousies of his Late Majesty, and the Apprehensions of the Successor, to take so much Care of the Two Houses, that so the Dangers with which Men were then alarm'd, might

might seem the less formidable, upon so effectual a Security: And thus all the stir that he keeps with Perjury and Imposure, ought to make no other impression, but the wantonness of his own temper, that meddles so boldly with things of which he knew so little the true Secret. For here was a Law passed, of which all made great use that opposed the Bill of Exclusion, to demonstrate to the Nation that there could be no danger of Popery, even under a Prince of that Religion; but as he would turn the matter, it amounts to this, That that Law might be of good use in that Season, to lay the Jealousies of the Nation, till there were a Prince on the Throne of that Communion, and then when the turn is served, it must be thrown away, to open the only door that is now shut upon the Re-establishment of that Religion. This is but one hint among a great many more of the state of Affairs at the time that this Act of the TEST was made, to shew that the Evidence given by the Witnesses, had no other share in that matter, but that it gave rise to the other Discoveries; and a fair opportunity to those who knew the Secret of the late Kings Religion, and the Negotiation at *Dover*, to provide such an effectual Security, as might both save the *Crown*, and secure the Religion: and this I am sure some of the Bishops knew, (who to their Honour) were faithful to both.

The Third Reason he gives for Repealing the Act, is the Incompetent Authority of those who Enacted it; for it was of an Ecclesiastical nature: and here he stretches out his Wings to a top-flight, and charges it with nothing less than the Depositing of Christ from his Throne, the disowning, neglecting and affronting his Commission to his Catholick Church, and entrenching upon this Sacred Prerogative of his holy Catholick Church: and then that he might have occasion to feed his Spleen with railing at the whole Order, he makes a ridiculous Objection of the Bishops being present in the House of Lords, that he might shew his respect to them, by telling in a Parenthesis, That (to their shame) they had consented to it. But has this Scaramuchio no Shame left him? Did the Parliament pretend by this Act to make any Decision in those two points of *Transubstantiation* and *Idolatry*? Had not the Convocation defined them both for a

bove an Age before? In the 28th Article of our Church these words are to be found: *Transubstantiation (or the change of the substance of bread and Wine) in the Supper of the Lord, cannot be proved by Holy writ; but it is repugnant to the plain words of Scripture, overthrowes the nature of a Sacrament, and hath given occasion to many Superstitions; and for the Idolatry of the Church of Rome, that was also declared very expressly in the same Body of Articles; since in the Article 35. the Homilies are declared 'To contain 'a godly and wholesome Doctrine necessary for 'those times; and upon that it is judged that 'they should be read in the Churches, by the 'Ministers, diligently and distinctly, that they 'may be understood of the people. And the second of these, which is against the Peril of Idolatry, aggravates the Idolatry of that Church in so many particulars, and with such severe expressions, that those who at first made those Articles, and all those who do now sign them, or oblige others to sign them, must either believe the Church of Rome to be guilty of Idolatry, or that the Church of England is the Impudentest Society that ever assumed the name of a Church, if she proposes such Homilies to the People, in which this Charge is given so home, and yet does not believe it her self. A man must be of Bay's pitch to rise up to this degree of Impudence. Upon the whole matter then, these points had been already determined, and were a part of our Doctrines enacted by Law; all that the Parliament did, was only to take these out of a great many more, that by this Test it might appear, whether they who came into either House were of that Religion or not; and now let our Reasoner try what he can make out of this; or how he can justify the Scandal that he so boldly throws upon his Order, 'As if they 'had as much in them lay, destroyed the very 'being of a Christian Church, and had profanely pawned the Bishop to the Lord; and 'betrayed the Rights of the Church of England 'as by Law established in particular, as well as 'of the Church Catholick in general, p. 8, 9. All this shews to whom he hath pawned both the Bishop and the Lord, and something else too, which is both Conscience and Honour, if he has any left. When one reflects on two of the Bishops, that were of that Venerable Body, while this Act passed, whose Memory will be blessed*

in the present and following Ages, those two great and good men that filled the Sees of *Chesler* and *Oxford*, he must conclude, that as the World was not worthy of them, so certainly their Sees were not worthy of them, since they have been plagued with such Successors; that because *Bays* delights in Figures taken from the *Roman Empire*, I must tell him, that since *Commodus* succeeded to *Marcus Aurelius*, I do not find a more incongruous Succession in History. With what sensible regret must those who were so often edified with the Gravity, the Piety, the Generosity, and Charity, of the late Bishop of *Oxford*, look on, when they see such a *Harlequin* in his room.

His Fourth Reason is taken from the *uncertainty and falshood of the matters contained in the Declaration itself*, pag. 9. For our Comedian maintains his Character still, and scorns to speak of Establish'd Laws with any Decency; here he puts in a Paragraph, as was formerly marked, which belonged to his Second Reason; but it seems some of those to whom he has pawn'd himself, thought he had not said enough on that head, and therefore to save blottings, he put it in here. After that, he tells the Gentry, That *transubstantiation was a Notion belonging to the Schoolmen, and Metaphysicians*: And that he may bespeak their Favour, he tells them in very soft words: *That their Learning was more polite and practicable in the Civil Affairs of Human Life, to understand the Rules of Honour, and the Laws of their Country, the Practice of Martial Discipline, and the Examples of Great Men in former Ages, and by them to square their Actions in their respective Stations: And the like.* But sure the Bishop is here without his *Fiocco*, yet at least for Decencies sake, he should have named Religion and Vertue among the proper Studies of the Gentry: and if he dares not trust them with the Reading the Scriptures, yet at least they might read the Articles of our Church, and hearken to the Homilies; for though it has been long one of the first Maxims that he has infused into all the Clergy that come near him, That the People ought to be brought into an Ignorance in matters of Religion; that Preaching ought to be laid aside, for a Preaching Church could not stand; that in Sermons no Points of Doctrine ought to be explained, and that only the Rules of Human Life ought to be told the People; yet after all,

they may read the short Articles: and though they were as blindly implicite, as he would wish them to be, yet they would without more enquiry, find Transubstantiation to be condemned in them. Next, he triumphs over the renouncing of it, pag. 11. 'As too bold and too 'prophane an Affront to Almighty God: when 'Men abjure a thing, which it is morally impossible for them to understand. And he appeals to the Members of both Houses (whom in a fit of Respect he calls Honourable, after he had reproach'd them all he could) 'If they 'have any distinct Idea or Notion in their 'minds, of the thing they here so solemnly renounce. I do verily believe none of them have any distinct Notion of Transubstantiation, and that it is not only Morally, but Physically impossible for them to understand it: But one would think that this is enough for declaring that they do not believe it, since the TEST contains no declaration concerning Transubstantiation itself, whether it is a true or a false Doctrine; but only concerning the belief of him that takes it. And if one can have 'no distinct Notions of it, so that it is morally impossible for him to understand it, he may verily well declare, *That he does not believe it.* After a Farce of a slight Story, he concludes, *That there seems to be nothing but a Prophane Levity in the whole matter; and a shameless abuse put upon God and Religion, to carry on the Wicked Designs of a Rebel-Faction.* For he cannot for his heart abate an ace of his Insolence, even when he makes the King, Lords, and Commons, the subject of his scorn. Certainly whatever his Character is, it ought not to be expected that a Man who attacks all that is Sacred, under God and Christ, should not be treated as he deserves: it were a feeble weakness, to have so great a regard to a Character that is so prostituted by him. He tells us, pag. 47. 'That all Parties agree in 'the thing; and that they differ only in the 'word and manner: and here he makes a long excursion to shew his Learning, in tacking a great many things together, which passes with ignorant Readers, as a mark of his great Reading: whereas in this, as well as in all his other Books, in which any shews of Learning appear, those who have searched into the Fountains, see that he does nothing but gather from the Collection of others: only



only he spoils them with the Levities of his Buffoon-Style, and which is worse, with his Dis-Ingenuity. I leave all these matters to be Examined, by those who have leisure for it, and that think him worth their Pains: But as for *Transubstantiation*, the Words that I have cited from one of our Articles, shew plainly that it is rejected in our Church, so that he is bound either to renounce it, or to renounce our Church: therefore all that shew he makes with our History, comes to nothing, since whatever he may say with relation to *Edward the Sixth's* Reign, it cannot be denied but they were Enacted by the Convocation in the beginning of *Queen Elizabeth's* Reign, and they have been ever since the Doctrine of our Church: so that without going further, this is now our Doctrine, and since *Sa. Oxon* carries the Authority of the Convocation so high, he will find the Original Record of these Articles in *Corpus-Christi* Colledge in *Cambridge*, subscribed by the Members of both Houses, in which there is a much more positive Decision than is in the Prints, not only against *Transubstantiation*, but against any *Corporeal* or *Real Presence of the Body and Blood of Christ in the Sacrament*: And if he will give himself scope, to rail at those who suppressed this, I leave him to his Liberty. But here is the formal decision of this Church, and the pretending that there was no Evidence of *Cranmer's* Opinion, but in an unknown Manuscript, or a famous Invisible Manuscript, p. 46. 47. when there are two Books writ on this matter by *Cranmer* himself, and when all the Disputes in *Queen Mary's* Time, besides, those that were both in *Oxford*, and *Cambridge*, in *King Edward's* time, shew so clearly, that this was his Doctrine, is a strain becoming his Sincerity, that gives this among many other Essays of the Trust that is due to him.

But it seems he thought that *Dr. Tillotson*, *Dr. Stillingfleet*, and *Dr. Burnet*, besides some others whom he does not Name, had not Reputation enough in the World, and therefore he intended to raise it, by using them ill: which is all the Effect that his Malice can have. He had set on one of his poor under-work-men, some years ago, to decry the Manuscript which *Dr. Stillingfleet* had in his keeping for above twenty years, and which *Dr. Burnet* had in his Hands for many Months, and which they shew-

ed to as many as desired to see, but that had turned so much to his Shame that first vented the Calumny, that it seems he summoned *Sa. Oxon* to appear his Second in the Slander: and he whose Brow is of so peculiar a Composition, will needs bring it here, tho never so impertinently. But I forgive the Hatred that he bears both to that Manuscript, and to those Doctors, since nothing could be less to the Satisfaction of those for whom he published his Book, then to see the Nature and Regular Methods in which the Reformation was advanced. For the Bishops and Divines were appointed, to Examine all Points with much Care, and to bring every man his Opinion in Writing, all which were compared very faithfully, and upon these the Decisions were made.

There any many other Papers yet extant which by comparing the Hands, shews these to be Originals: and they were in the *Salisbury* Family probably ever since they were at first brought together. Their Ancestor the Lord *Burghly* who was *Secretary of State*, in *Edward the Sixth's* time, gathered them up; and as appears in a Letter under his own Hand yet extant, he had six or seven Volumes of them, of which *Dr. Stillingfleet* had only two: but *Dr. Burnet* saw two more of these Volumes.

The *History of the Reformation* tells still so well, that I do not believe *Mr. Chiswell* the Printer of it has made any Present to this Reasoner, to raise its Price: for to attack it with so much Malice, and yet not to offer one Reason to lessen its Credit, is as effectual a Recommendation, as this Author can give it.

He pretends that *Dr. Burnet's* Design was to make *Cranmer* appear a meer *Sacramentarian*, as to Doctrine, as he had made him appear an *Erasian*, as to Discipline: and he thinks the vain Man was flattered into all the Pains he took, that he might give Reputation to the Errors of his Patrons, and that those two grand Forgeries are the grand Singularities of his History: and the main things that gave it Popular Vogue and Reputation with his Party. So that were these two blind Stories, and the Reasons depending upon them retrenched, it would be like the Shaving off *Sampson's* hair, and destroy all the Strength peculiar to the History. But to all this Stuff I shall only say, 1. That the Charge of Forgery falls back on the Reasoner, since as to *Cranmer's* Opinion of the Sacrament, his

own Books, and his Dispute at *Oxford* are such plain Evidences, that none but *Bays* could have questioned it: and for his being an *Erasian*, Dr. *Burnet* had clearly proved that he had changed his Opinion in that point, so that though he shewed that he had been indeed once engaged in those Opinions, yet he proved that he had forsaken them: Let the Reader judge to whom the charge of Forgery belongs. 2- Dr. *Burnet* has indeed some Temptations to Vanity now, since he is ill used by *Bays*; and put in such Company: but I dare say, if he goes to give him his Character, he will never mention so slight a one as Vanity, in which how excessive soever he may be; yet it is the smallest of all his Faults. 3. These two Particulars here mentioned, bear no inconsiderable a share in that History, and have been so little minded, that I dare say of an hundred that are pleased with that Work, there is not one that will assign these as their Motives.

He censures Dr. *Burnet*, for saying, *he had often heard it said that the Articles of our Church were framed by Cranmer and Ridley; as if it were the meanest Trade of an Historian to stoop to hear say*, p. 55. But the best of all the *Roman Historians* (*Salust. in bello Catil.*) does it, and in this Dr. *Burnet* maintains the Character of a sincere Historian, to say nothing that was not well grounded: and since it has been often said by many Writers, that these two Bishops prepared our Articles, he finding no particular Evidence of that, delivers it with its own doubtfulness. It is very like *Sa. Oxon* would have been more positive upon half the Grounds, than Dr. *Burnet* had, but the other chose to write exactly: yet he adds, That it is probable that they penned them: and if either the Dignity of their Sees, or of their Persons be considered, the thing will appear reasonable enough. But I do not wonder to see any thing that looks like a modesty of Style offend our Author, he is next so kind to Dr. *Burnet*, as to offer him some Counsel, (p. 50.) *That he would be well advised to employ his Pain in writing Lampoons upon the present Princes of Christendom (especially his own) which he delights in most; because it is the worst thing that himself can do, then collecting the Records of former times: for the first will require Time and Postage, to pursue his Malice: but the second is easily traced in the Chimney corner.*

One would think that this period was writ by Mr. *Louth*, it is so obscure and ill expressed, that nothing is plain, but the malice of it: but he of all men should be the furthest from reproaching any for Writing *Lampoons*, who has now given so rude a one, on the *Late King and the Lords and Commons*; if bold Railing without either Wit or Decency, deserves that Name. I will only say this further, that if one had the ill Nature to write a *Lampoon* on the Government; one of the severest Articles in it, would be, That it seems Writers are hard to be found, when such a *Baboon* is made use of. It is *Lampoon* enough upon the Age, that he is a Bishop: but it is downright Reproach that he is made the Champion of a Cause, which if it is bad of it self, must suffer extremely by being in such hands.

And thus I think enough is said in answer to his impertinent digression upon *Transubstantiation*, let him renounce the Article of our Church, and all that he possesses in Consequence to his having signed it, and then we will argue all the rest with him upon the square: but as long as he owns that, he is bound likewise to own the first Branch of the *Test*, which is the renouncing of *Transubstantiation*. In this Discourse he makes his old Hatred to *Calvin* and the *Calvinists* return so often, that it appears very Conspicuously. I believe it is stronger now than ever, and that for a particular reason: When the Prince and Princess of *Orange* were Married, he was perhaps the only Man in *England* that expressed his Uneasiness at that happy Conjunction, in so clownish a manner, that when their Highnesses past through *Canterbury* he would not go with the rest of that Body, to which he was so long a Blemish, to pay his Duty to them, and when he was asked the Reason, he said, *He could have no regard to a Calvinist Prince*. Now this Calvinist Prince has declared his mind so openly and fully against the Repeat of the *Test*, that no doubt this has encreased *Bays's* Distemper, and heightened his Choler against the whole Party.

The second Branch of the *Test*, is the Declaration made of the *Idolatri* committed in the *Roman Church*: upon which he tells us, p. 71. 72. *That Idolatri is a Stabbing and Cut-throat Word, and that it is an Inviting and Warranting the Rabble whenever Opportunity favours, to destroy the Roman Catholicks: and here Bays will*  
out-

out do himself, since this was a Master-piece of Service, therefore he makes the taxing the Church of Rome with Idolatry, a piece of Inhumanity that outdoes the Savages of the *Canibals* themselves: and damns at once both Body and Soul. He charges Dr. Stillingfleet as the great Founder of this, and all other Anti-catholick and Anti-christian, and Uncharitable Principles among us, and that the Test is the Swearing to the Truth of his unlearned and Phanatick Notion of Idolatry, p. 130. 135. and the result of all is, That Idolatry made the Plot, and then the Plot made Idolatry, and that the same persons made both. He has also troubled the Reader with a second Impertinence to shew his second-hand Reading again upon the Notion of Idolatry: But all this falls off with a very short answer, if he is of the Church of England, and believes that the *Homilies* contain a Godly and wholesom Doctrine, all this Clamour against Idolatry, turns against himself, for he will find the Church of Rome charged with this, almost an Age before Dr. Stillingfleet was born: and though perhaps none has ever defended the Charge, with so much Learning as he has done, yet no Malice less impudent than his is, could make him the Author of the Accusation. It will be another strain of our Author's Modesty, if he will pretend that our Church is not bound to own the Doctrine that is contained in her *Homilies*; he must by this make our Church as treacherous to her Members, as *Sa. Oxon* is to her, for to deliver this Doctrine to the People; if we believe it not our selves, is to be as impudent as he himself can pretend to be. A Church may believe a Doctrine which she does not think necessary to propose to all her Members: but she were indeed a Society fit for such Pastors as he

is, if she could propose to the People, a Doctrine, chiefly one of so great Consequence as this is, without she believed it herself. So then he must either renounce our Church and her Articles, or he must answer all his own Plea for clearing that Church of this Imputation, which is so slight, that it will be no hard matter even for such a trifling Writer as himself is, to do it. As for what he says of Stabbing and Cut-throat Words, he may charge us with such Words, if he will, but we know who we may charge with the Deeds; I would gladly see the List of all that have been murder'd by these Words, to try if they can be put in the Balance, either with the *Massacre of Ireland*, or that of *Paris*, upon which I must take Notice of his slight way of mentioning *Coligny* and his Faction, and telling us in plain Words, p. 45. *That they were Rebels*. This is perhaps another instance of his kindness to the Calvinist Prince, that is descended from that Great Man.

If *Idolatry* made our Plot, it was not the first that it made: but his Malignity is still like himself, in his charging Dr. *Stillingfleet*, who he says is the Author of the Imputation of *Idolatry*, as if he had suborned the Evidence in our Plot. I should congratulate to the Doctor, the Honour that is done him by the Malice of one who must needs be the Object of the Hatred of all good Men, if I did not look upon him as so contemptible a Person, that his Love and his Hatred are equally insignificant. If he thinks our Church worse than *Canibals*, I wish he would be at the pains to go and make a trial, and see whether these Salvages will use him as we have done. I dare say they would not eat him, for they would find so much Gall and Choller in him, that the first bit would quite disgust them.

## REFLECTIONS on a Late PAMPHLET,

Entituled,

## P A R L I A M E N T U M P A C I F I C U M.

Licensed by the Earl of Sunderland, and Printed at London in March, 1688.

I. Peace is a very desirable thing, yet every state that is peaceable is not blindly to be courted: An Apoplexy is the most peaceable state into which a man's Body can be laid, yet few would desire to pacifie the Humours of the Body at that rate; an Implicit Faith, and Absolute Slavery are the two peaceablest things that can be, yet we Confess we have no mind to try so dangerous an Experiment; and while the Remedies are too strong, we will chuse rather to bear our Disease than to venture on them. The Instance that is proposed to the Imitation of the Nation, is that Parliament which called in the late King; and yet that cannot so much as be called a Parliament, unless it be upon a Common-wealth Principle, *That the Sovereign Power is radically in the People*, for its being Chosen without the King's Writ, was such an Essential Nullity, that no subsequent Ratification could take it away: For all People saw that they could not depend upon any Acts passed by it, and therefore it was quickly Dissolved: and ever since it has been called by all the Monarchical Party a Convention, and not a Parliament. But now in order to the Courting the Common-wealth Party, this is not only called a Parliament, but is proposed as a Pattern to all others, from the beginning to *pag. 19.*

II. But since this Author will send us back to that time, and since he takes so ill, That the *Memory* of the late King should be forgotten; let us Examine that Transaction a little, and then we shall see whether it had not been more for his Honour to let it be forgotten. The King did indeed in his Declaration from *Breda*, promise Liberty of Conscience, on which he insisted in a large and wise Declaration, set out after he was settled on the Throne: But after

that he had got a Parliament chosen all of Creatures depending on himself, who for many years Granted him every thing that he desired, a severe Act of Uniformity was passed; and the Kings Promise was carried off by this; That the King could not refuse to comply with so Loyal a Parliament. It is well enough known, that those who were then secretly Papists, and who disguised their Religion for many years after this, as the King himself did to the last, animated the Chief Men of our Church; to carry the Points of Uniformity as high as was possible, and that both then, and ever since, all that proposed any Expedients for uniting us (or as it was afterwards termed, for *Comprehending the Dissenters*) were represented as the *Betrayers of the Church*. The Design was then clear to some; that so by carrying the Terms of Conformity to a great rigidity, there might be many Non-Conformists, and great occasion given for a Toleration, under which Popery might insensibly creep in: For if the Expedients that the King himself proposed in his Declaration, had been stood to, it is well known, that of the 2000 Conscientious Ministers, as he calls them, *pag. 14.* by an Affestation too gross to pass on them, that were turned out, above 1700 had staid in. Their Practices had but too good Success on those who were then at the Head of our Church: whose Spirits were too much soured by their ill usage during the War, and whose Principles led them to so good an Opinion of all that the Court did, that for a great while they would suspect nothing. But at the same time, that the Church Party, that carried all before them in that Parliament, were animated to press things so hard, the Dissenters were secretly encouraged to stand out: and were told, That the Kings Temper and Principle, and the consideration of Trade would certainly



procure them a Toleration : and ever since, that Party, that thus had set us together by the ears, has shifted sides dextrously enough ; but still they have carried on the main Design, which was to keep up the Quarrel in the Intervals of Parliament, *Liberty of Conscience* was in vogue : but when a Session of Parliament came, and the King wanted Money, then a new severe Law against the Dissenters, was offered to the angry men of the Church-party as the price of it ; and this seldom fail'd to have its effect ; so that they were like the Jewels of the Crown, pawned when the King needed Money, but redem'd at the next Prorogation. A Reflection then that arises naturally out of the Proceedings in the Year 1660. is, That if a Parliament should come, that would copy after that pattern, and repeal Laws and Testis ; The King's Offers of *Liberty of Conscience*, as may indeed be supposed, will bind him till after a short Session or two such a meritorious Parliament should be dissolved ; according to the precedent in the Year 1660. and that a new one were brought together by the same Methods of changing Charters, and making Returns ; and then the Old Laws *de Heretico Comburendo* might be again revived, and it would be said, that the Kings Inclinations are for keeping his Promise, and Granting still a Liberty of Conscience, yet he can deny nothing to a Loyal and Catholick Parliament.

III. We pay all possible respect to the King ; and have witness'd how much we depended on his promises, in so signal a manner, that after such real Evidence all words are superfluous. But since the King has shew'd so much zeal, not only for his Religion in general, but in particular for that Society, which of all the other Bodies in it, we know is animated the most against us, we must crave leave to speak a little freely, and not suffer our selves to be destroyed by a Complement. The Exirpation of Hereticks, and the Breach of Faith to them, have been Decreed by two of their General Councils, and by a Tradition of several Ages ; the Pope is possess'd of a power of dissolving all Promises, Contracts, and Oaths ; not to mention the private Doctrines of that Society, that is so much in favour, of doing ill that Good may come of it, of using Equivocations and Reservations, and of or-

dering the Intention. Now these Opinions as they have never been renounced by the Body of that Church, so indeed they cannot be, unless they renounce their Infallibility, which is their *Basis*, at the same time. Therefore though a Prince of that Communion, may very sincerely resolve to maintain *Liberty of Conscience*, and to *keep his Word*, yet the blind Subjection into which he is brought by his Religion, to his Church, must force him to break through all that, as soon as the Doctrine of his Church is opened to him ; and that Absolution is denied him, or higher Threatnings are made him ; if he continues firm to his merciful Inclinations. So that, supposing His Majesties Piety to be as great as the Jesuits Sermon, on the Thirtieth of *January*, lately printed, carries it, to the uttermost possibility of Flesh and Blood, then our Fears must still grow upon us, who know what are the Decrees of that Church ; and by consequence we may infer to what his Piety must needs carry him ; as soon as those things are fully opened to him, which in respect to him, we are bound to believe are now hid from him.

IV. It will further appear, that these are not unjust Inferences, if we consider a little what has been the Observation of all the Promises made for *Liberty of Conscience* to Hereticks by Roman Catholick Princes, ever since the Reformation. The first was, the Edict of *Passaw* in *Germany* ; procur'd chiefly by *Ferdinand's* means, and maintained indeed religiously by his Son *Maximilian* the Second, whose Inclinations to the Protestant Religion made him be suspected for one himself : but the Jesuits insinuated themselves so far into his Younger Brother's Court, that was Archduke of *Grats*, that this was not only broken by that Family, in their Share, but though *Rodolph* and *Mathias* were Princes of great Gentleness, and the latter of these, was the Protector of the States, in the beginning of their War with *K. Philip* the Second ; yet the violence with which the House of *Grats* was possess'd, overturned all that : so that the breaking off the Pacificatory Edicts was begun in *Rodolph's* time, and was so far carried on in *Mathias's* time, that they set both *Bohemia* and *Hungary* in a Flame, and so began that long War of *Germany*. 2. The next Promise for Liberty of Conscience was made by Queen *Mary*

of England; but we know well enough how it was observed: The Promises made by the Queen Regent of Scotland, were observed with the same Fidelity: after these came the Pacificatory Edicts in France, which were scarce made when the *Triumvirat* was formed to break them. The famous Massacre of Paris was an instance never to be forgot of the Religious Observance of a Treaty, made on purpose to lay the Party asleep, and to bring the whole Heads of it into the Net: This was a much more dreadful *St. Bartholomew*, than that on which our Author bestows that Epithete, *pag. 15* and when all seemed settled by the famous Edict of *Nantes*, we have seen how restless that Party, and in particular the *Society*, were, till it was broken; by a Prince, that for thirty years together had shewed as great an aversion to the *Shedding of Blood*, in his Government at home, as any of his Neighbours can pretend to: and who has done nothing in the whole Tragedy that he has acted, but what is exactly conform to the Doctrine and Decrees of his Church: so that it is not himself, but his Religion that we must blame for all that has fallen out in that Kingdom. I cannot leave this without taking notice of our Author's Sincerity, who, *page 18*. tells us of the Protestants entering into their League in France, when it is well known that it was a League of Papists against a Protestant Successor, which was afterwards applied to a Popish King, only because he was not zealous enough against Hereticks. But to end this List of Instances at a Countrey to which our Author bears so particular a kindness; when the Dutchess of Parma granted the Edict of Pacification, by which all that was past, was buried; and the Exercise of the Protestant Religion was to be connived at for the future, King Philip the Second did not only ratifie this, but expressed himself so fully upon it to the Count of *Egmont*, who had been sent over to him, that the easie Count returned to *Flanders*, so assured of the King's Sincerity, that he endeavoured to persuade all others to rely as much on his Word, as he himself did. It is well known how fatal this Confidence was to him: and (see *Metteen lib. 3.*) that two years after this that King sent over the Duke of *Alva*, with that severe Commission, which has been often Printed: in which, without any regard had to the former Pacification or Promises, the King declared, That the Pro-

vinces had forfeited all their Liberties, and that every man in it had forfeited his Life: and therefore he authorised that unmerciful man to proceed with all possible rigor against them. It is also remarkable, that that bloody Commission is founded on the King's Absolute Power, and his Zeal for Religion. This is the only Edict that I know, in which a King has pretended to Absolute Power, before the two Declarations for Scotland in the year 1687. so whether they who penned them, took their pattern from this, I cannot determine it. I could carry this view of History much further, to shew in many more Instances, how little Protestants can depend on the Faith of *Roman Catholicks*: and that their condition is so much the worse, the more pious that their Princes are. As for what may be objected to all this, from the present State of some Principalities or Towns in *Germany*, or of the *Swissers* and *Grisons*: it is to be considered, that in some of these, want of Power in the Roman Catholicks to do mischief, and the other Circumstances of their affairs, are visibly the only Securities of the Protestants: and whensoever this Nation departs from that, and gives up the Laws, it is no hard thing to guess, how short-lived the Liberty of Conscience, even though sealed into a *Magna Charta* would be.

V. All that our Author says upon the General Subject of *Liberty of Conscience*, is only a severe Libel upon that Church, whose Principles and Practices are so contrary to it. But the proposition lately made, has put an end to all this dispute; since by an Offer of Repealing the Penal Laws, reserving only those of the Test, and such others as secure the Protestant Religion; the question is now no more, which Religion must be tolerated, but which Religion must Reign and prevail. All that is here offered in opposition to that, is that by this means such a number of persons must be ruined, *pag. 64.* which is as severe a way of forcing People to change their Religion, as the way of Dragoons. I will not examine the particulars of this matter, but must express my joy to find, that all the difficulty which is in our way to a happy quiet, is the supplying such a number of men with the means of their subsistence, which by the execution of the Law for the Test, must be taken from them. This, by all that I can learn, will not come to near an hundred thousand

land pound a year: and indeed the supplying of those of the King's Religion, that want it, is a piece of Charity and Bounty so worthy of him, that I do not know a man, that would envy them the double of this, in Pensions: and if such a Sum would a little charge the King's Revenue, I dare say, when the settlement of the Nation is brought to that single point, there would not be one Negative found in either House of Parliament for the Reimbursing the King. So far are we from desiring, either the Destruction, or even the Poverty of these that perhaps wait only for an occasion to burn us. I will add one bold thing further, That though I will be no Undertaker for what a Parliament may do, yet I am confident that all Men are so far from any desire of Revenge; but most of all, that the Heroical Minds of the next Successors are above it; that if an Indemnity for that bold Violation of the Law, that hath been of late both Practised and Authorised amongst us, would procure a full settlement, even this could be obtained: Though an impunity after such Transgressions is perhaps too great an Encouragement to offend for the future. But since it is the Preservation of the Nation, and not the Ruine of any Party in it that is aimed at, the hardness of this Proposition will, I hope, be forgiven me. It is urg'd (pag. 63) That according to the Dutch Pattern at least, the Roman Catholicks may have a share in Military Employments; but the difference between our Case and theirs, is clear, since some Roman Catholick Officers, where the Government is wholly in the hands of the Protestants, cannot be of such dangerous consequence, as it must needs be under a King that is not only of that persuasion, but is become nearly allied to the Society, as the *Lige* Letter tells us.

VI. It is true, our Author would persuade that the King's Dispensing Power hath already put an end to this Dispute, and that therefore it is a seeming sort of Perjury (see pag. 48.) to keep the Justices of Peace still under an Oath of executing those Laws which they must consider no more. Some Precedents are brought from former times, (p. 22, 23, 24.) of our King's using the Dispensing Power, in *Edward 3d*, *Richard 2d*, *Henry 7th*, *Henry 8th*, *Edward 6th*, and *Queen Elizabeth's* time. It is very true, that the Laws have

been of late broke through amongst us, with a very high hand; but it is a little too dangerous to upbraid the Justices of Peace with their Oaths, lest this oblige them to reflect on so Sacred an Engagement. For the worthy Members of *Magdalen Colledge*, are not the only Persons in *England*, who will make Conscience of observing their Oaths: So that if others are brought to reflect too much upon what they do, our Author's officiousness in suggesting this to them, may prove to be no acceptable piece of Service. I will not examine all his Precedents, we are to be govern'd by Law, and not by some of the Excesses of Government; nor is the latter end of *Edward the Third*, a time to be much imitated; and of all the parts of the English History, *Richard the Second's* Reign should be least mentioned, since those Excesses of his produced so Tragical a Conclusion, as the loss of his Crown and Life. *Henry the Sixth's* feeble and embroyled Reign, will scarce support an Argument. And if there were some Excesses in *Henry the Eighth's* time, which is ordinary in all great Revolutions, he got all these to be either warranted, or afterwards to be confirmed in Parliament. And *Queen Elizabeth's* power in Ecclesiastical Matters was founded on a special Act of Parliament, which was in a great measure Repealed, in 1641, and that Repeal was again ratified by another Act in the late King's time. We are often told of the late King's Acts concerning Carts and Waggon, but all Lawyers know some Laws are understood to be abrogated without a special Repeal, when some visible inconvenience inforces it, such as appeared in that mistaken Act concerning Waggon. So the King in that Case only declared the inconvenience which made that Law to be of itself null, because it was impracticable. It is true the Parliament never question'd this: A Man would not be offended if another pulled up a Flower in his Garden, that yet would take it ill if he broke his Hedge. And in *Holland*, to which our Author's Pen leads him often, when a River changes its course, any Man may break the Dyke that was made to resist; yet that will be no Warrant to go and break the Dyke that resists the Current of the same River. So if a Dispensing Power well applyed to smaller Offences, has been past over as an Excess of Government, that might be excusable, though not

justifiable, this will by no means prove that Laws made to Secure us against that which we esteem the greatest of Evils, may be suspended, because Twelve Men in Scarlet have been tried, or practised on to say so. The Power of Pardoning is also unreasonably urged for justifying the Dispensing Power, the one is a Grace to a particular Person for a Crime committed, and the other is a Warrant to commit Crimes: In short, the one is a Power to save Men, the other is a Power to destroy the Government. But though they swagger it now with a Dispensing Power, yet *Rede Capere Vitam, &c.* may come to be again in Season, and a time may come in which the whole Party may have reason to wish, that some hair-brain'd Jesuits had never been born, who will not only expose them to the Resentments, but even to the Justice of another Season, in which as little regard will be had to the Dispensing Power, as they have to the Laws at present.

VII. Our Author's kindness to the States of *Holland* is very particular, and returns often upon him, and it is no wonder that a State settled upon two such hinges, as the Protestant Religion, and the Publick Liberty, should be no small Eye-sore to those who intend to destroy both. So that the slackning the Laws concerning Religion, and the moderating that State by invading it, seem to be terms that must always go together. In the first War began the first slackning of them; and after the Triple Alliance had laid the *Dutch* asleep, when the Second War was resolved on, it was begun with that Heroical Attempt on the *Smyrna* Fleet (for our Author will not have the late King's Actions to be forgotten) at the same time the famous Declaration for Suspending the Laws in 1672, came out. And now again with another Declaration to the same purpose, we see a return of the same good inclinations for the *Dutch*, though none before our Author has ever ventured, as in a Book Licensed by my Lord President of the Council, to call their Constitution ( pag. 68 ) a Revolt that they made from their Lawful Prince; and to raise his stile to a more sublime strain, he says ( pag. 66. ) that their Common-wealth is nothing else but the result of an absolute Rebellion, Revolt, and Defection from their Prince, and that the Laws that they

have made, were to prevent any casual return to their natural Allegiance; and speaking of their obligation to Protect a Naturalized Subject, he bestows this honour on them, as to say ( p. 57. 58 ) Those that never yet dealt so fairly with Princes, may be suspected for such a superfluous Faith, to one that puts himself upon them for a Vassal. Time will shew how far the States will resent these Injuries, only it seems our Author thinks that a Sovereign's Faith to protect the Subject is a superfluous thing. A Faith to Hereticks is another superfluous thing. So that two Superfluities one upon another must be all that we are like to trust to. But I must take Notice of the variety of Methods that these Gentlemen use in their Writings here in *England*, we are always upbraided with a Revolt of the *Dutch*, as a scandalous imputation on the Protestant Religion: And yet in a late Paper, Entituled, *An Answer to Pensionary Fagel's Letter*, the Services that the *Roman Catholicks* did in the beginning of the Common-wealth, are highly extolled as Signal and Meritorious, upon which the Writer makes great Complaints that the Pacification of *Gaunt*, and the Union of *Utrecht*, by which the free Exercise of Religion was to be continued to them, was not observed in most of the Provinces: But if he had but taken pains to examine the History of the States, he would have found that soon after the Union made with *Utrecht*, the Treaty of *Collen* was set on foot between the King of *Spain* and the States, by the Emperour's Mediation, in which the *Spaniards* studied to divide the *Roman Catholicks* in those Provinces from the Protestants, by offering a Confirmation of all other Privileges of those Provinces, excepting only the Point of Religion: which had so great an effect, that the Party of the Male-contents was formed upon it, and these did quickly Capitulate in the *Walloon* Provinces, and after that not only *Brabant* and *Flanders* Capitulated, but *Reenenburg* that was Governour of *Groening* declared for the King of *Spain*, and by some places that he took both in *Friesland* and *Over-Issel*, he put those Provinces under Contribution. Not long after that, both *Daventer* and *Zutphen* were betrayed by *Papish* Governours, and the War was thus brought within the Seven Provinces, that had been before kept at a greater distance from them.

Thus



Thus it did appear almost every where, that the Hatred with which the Priests were inspiring the Roman Catholicks against the Protestants, disposed them to Betray all again to the *Spanish Tyranny*. The New War that *Reenenburgh's* Treachery had brought into these Provinces chang'd to the State of Affairs, that no wonder if this produced a Change likewise with relation to the Religion, since it appeared that these Revolts were carried on and justified upon the principles of the Church: and the general Hatred under which these Revolts brought the *Roman Catholicks* in those Out-Provinces, made the greater part of them to withdraw, so that there were not left such numbers of them as to pretend to the Free-Exercise of their Religion: But the War not having got into *Holland* and *Utrecht*, and none of that Religion having Revolted in these Provinces, Roman Catholicks continued still in the Countrey; and though the ill inclinations that they shewed, made it necessary for publick Safety to put them out of the Government, yet they have still enjoyed the common Rights of the Countrey, with the free Exercise of their Religion. But it is plain that some men are only waiting an Opportunity to renew the Old *Delenda est Carthago*: and that they think it to be no small step to it to possess all the World with the odious impressions of the *Dutch*, as a Rebellious and a Perfidious State, and if it were possible they would make their own *Roman* Catholick Subjects fancy that they are persecuted by them. But though men may be brought to believe *Transubstantiation* in spite of the Evidence of Sense to the contrary; Yet those that feel themselves at Ease, will hardly be brought to think that they are persecuted, because that they are told so in an ill-writ Pamphlet. And for their Rebellion, the Prince that is only concerned in that, finds them now to be his best Allies, and chief support: as his Predecessors acknowledged them a Free State almost an Age ago. And it being Confest by Historians on all sides, That there was an Express Proviso in the Constitution of their Government, That if their Prince broke such and such Limits, they were no more bound to Obey him, but might Resist him: And it being no less certain, That King *Philip* the Second Authorized the Duke of *Alva* to seize upon all their Priviledges; their resisting him and maintaining their Priviledges; was without all dispute a justifiable Action, and was so esteemed by all the States of *Europe*, and in

particular here in *England*, as appears by the preambles of several Acts of Subsidy that were given to the Queen in order to the Assisting the States. And as for their not dealing fairly with Princes, when our Author can find such an instance in their History, as our Attempt on their *Smyrna* Fleet was, he may employ his Eloquence in setting it out; and if notwithstanding all the failures they have felt from others, they have still maintained the Publick Faith, our Author's Rhetorick will hardly blemish there. The Peace of *Nimeguen*, and the abandoning of *Luxemburgh*, are perhaps the single instances in their History that need to be a little excused: But as the vast Expence of the last War brought them into a Necessity that either knows no Law, or at least will hearken to none; so we who forced them to both, and first sold the *Triple Alliance*, and then let go *Luxemburgh*, do with very ill grace reproach the *Dutch* for these unhappy steps, to which our Conduct drove them.

VIII. If a strain of pert boldness runs through the whole Pamphlet, it appears no where more eminently than in the Reflections the Author makes on Mr. *Fagel's* Letter, he calls it (p. 62.) a pretended piece, and a presumption not to be soon pardoned, in prefixing to a surreptitious and unauthorized Pamphlet, the reverend Name of the *Princess of Orange*, which in another place (p. 72.) he had reason to imagine was but a counterfeit Coyn, and that those Venerable Characters were but politically feigned, and a sacred Title given to it, without their Authority. All this coming out with so solemn a License, has made me take some pains to be rightly informed in this matter. Those whom I consulted, tell me they have discoursed the Pensioner himself on this Subject, who will very shortly take a sure method to clear himself of those imputations, and to do that Right to the *Prince* and *Princess*, as to shew the World, That in this matter he acted only by their Order. For as Mr. *Steward's* Letter drew the *Pensioner's* Answer from him, so this Paper (Licensed as it is) will now draw from him a particular recital of the whole progress of the matter. Mr. *Albeville* knows that the *Princess* explained her self to fully to him in the Month of *May*, and *June*, 1687. upon the *Repeal of the Test*, that he himself has Acknowledged to several Persons, That though both the *Prince* and *Princess* were very stiff in that matter, yet of the two

he found the *Princess* more inflexible. Afterwards when Mr. *Steward* by many repeated Letters pressed his Friend to renew his importunities to the Pensioner for an Answer, he having also said in his Letters that he writ by the King's Order and Direction: Upon this the Pensioner having consulted the *Prince* and *Princess*, drew his Letter first in *Dutch*, and communicated it to them, and it being approved by them, he turned it into *Latin*; but because it was to be shewed to the King, he thought it was fit to get it put into *English*, that so their Highnesses might see the Translation of that Letter which was to be offered to his Majesty; and they having approved of it, sent it with his own in *Latin*, and it was delivered to the King. This Account was given me by my Friend, who added, That it would appear ere long in a more Authentical manner. And by this I suppose the impudence of those men does sufficiently appear, who have the Brow to publish such stuff, of the Falshood of which they themselves are well assured, and therefore I may well conclude that my Lord President's License was Granted by him with that Carelessness with which most Books are Read and Licensed. Our Author pretends that he cannot Believe that this Letter could flow from a *Princess* of so sweet a temper (*pag. 62.*) and yet others find so much of the sweetness of her temper in it, that for that very reason they believe it the more easily to have come from her. No Passion nor indiscreet Zeal appears in it; and it expresses such an extended Charity and Nobleness of Temper, that those Characters shew it comes from one that has neither a narrowness of Soul, nor a sowerness of Spirit. In short, She proposes nothing in it, but to preserve that Religion she Believes the true one, and that being Secured, she is willing that all others Enjoy all the Liberties of Subjects, and the Freedom of Christians: Here is Sweetness of Temper and Christian Charity in their fullest Extent. The other Reason is so mysteriously expressed, that I will not wrong our Author by putting it in any other words but his own (*pag. 62.*) *She is certainly as little pleas'd to promote any thing to the Disturbance of a State to which she still seems so nearly related,* [ She seems still ] are two significant words, and not set here for nothing: She seems (in his Opinion) only related to the Crown, that is, she is not really so. But there is something that these Gentlemen have in

reserve to blow up the seeming Relation; and she seems, still imports, that though this seeming relation is suffered to pass at present, yet it must have its period, for this *Seems still*, can have no other meaning. But in what does she promote the disturbance of the State, or Patronize the Opposers of her Parents, as he says afterwards (*ibid.*)? Did she officiously interpose in this matter? Or was not her Sense asked? And when it was Asked, must she not give it according to her Conscience? She is too perfect a Pattern in all other things, Not to know well how great a Respect and Submission she owes her Father; But she is too good a Christian not to know, that her Duty to God must go first. And therefore in matter of Religion, when her mind was asked, she could not avoid the giving it according to her Conscience. And all the invidious Expressions which he fastens on this Letter, and which he makes so many Arguments to shew that it could not flow from her, are all the Malicious, and soon discovered Artifices of one that knew, That she had ordered the Letter, and that thought himself safe in this Disguise, in the discharging of his Malice against her. So ingratfully is she required by a party for whom she had expressed so much Compassion and Charity. This Author (*page 53.*) thinks it an indiscreet forecast, to be always Erecting such Horoscopes for the next Heir, both in Discourse and Writing, as seem almost to Calculate the Nativity of the present: and he would almost make this High-Treason. But if it is so, there were many Traytors in *England* a few Years ago; in which the Next Heir, though but a Brother, was so much considered, That the King himself lookt as one out of countenance, and abandoned, and could scarce find Company enough about him for his Entertainment, either in his Bed-chamber, or in his Walks, when the whole dependance was on the Successor. So if we by turns look a little on the Successor, those who did thus in so scandalous a manner, ought not to take it so very ill from us. In a melancholly state of things it is hard to deny us the Consolation of hoping that we may see better Days. But since our Author is so much concerned, that this Letter should not be in any manner imputed to the *Princess*, it seems a little strange that the Prince is so given up by

him, that he is at no pains to clear him of the imputation. For the happy Union that is between them, will readily make us to conclude, That if the Prince Ordered it, the Princess had likewise her share in it. But I find but one glance at the Prince in the whole Book (page 52.) when the Author is pleasing himself with the hopes of protection from the Royal Heir, out of a sense of Filial Duty, (He concludes) *Especially when so nearly Allied to the very Bosom of the Prince, whose Way of Worship neither is the same with the National here, and in whose Countries all Religions have ever been alike Tolerated.* The phrase of so near an Alliance to the very Bosom of a Prince, is somewhat extraordinary. An Author that will be florid, scorns so simple an Expression, as Married; he thought the other was more lofty; but the matter of this period is more remarkable. It intimates as if the Prince's way of Worship was so different from ours, though we hear that he goes frequently with the Princess to her Chapel, and expresses no aversion to any of our Forms, though he thinks it decent to be more constantly in the Exercises of Devotion that are Authorized in Holland. And as for that, That all Religions have been equally alike Tolerated there, it is another of our Author's flights. I do not hear that there are either *Bowzies*, or *Bramans* in Holland; or that the *Mahometans* have their *Mosques* there: and surely his Friends the *Roman Catholics* will tell him, that all Religions are not alike Tolerated there. Thus I have followed more largely in this Article than in any other, it being that of the greatest importance, by which he had endeavoured to blast all the good Effects which the Pensioner's Letter has had amongst us.

IX I have now gone over that which I thought most important in this Paper, and in

which it seemed necessary to inform the publick aright, without insisting on the particular slips of the Author of it, or of the Advantages that he gives to any that would Answer more particularly. I cannot think that any man in the Nation can be now so weak as not to see what must needs be the Effects of the Abolition of the TESTS. After all that we see and hear, 'tis too great an Affront to mankind to offer to make it out, That a man's Understanding may really mislead him so far (as to make him change his Religion, he remaining still an Honest man) that betrays the Legal, and now the only Visible Defences of that Religion which he professes. The taking away the Tests for publick Employments, is to set up an Office at *F. Peters* for all pretenders, and perhaps a pretender will not be so much as received, till he has first ahjur'd: so that every Vacancy will possibly make five or six Profelytes, and those Protestants who are already in Employments, will feel their ground quickly fail under them, and upon the first Complaint they will see what must be done to restore them to Favour. And as for the Two Houses of *Parliament*, as a great Creation will presently give them the Majority in the House of Lords, so a new set of Charters, and bold Returns, will in a little time give them likewise the Majority in the House of Commons, and if it is to be supposed that Protestants who have all the Security of the Law for their Religion, can throw that up, Who can so much as doubt that when they have brought themselves into so naked a Condition, it will be no hard thing to overturn their whole Establishment; and then perhaps we shall be told more plainly what is now but darkly insinuated by this Author, *That the next Heir seems still to be so nearly related to this State, &c.*

*A LETTER to a Dissenter, upon occasion of His Majesties late Gracious Declaration of Indulgence.*

SIR,

Since Addressees are in fashion, give me leave to make one to you. This is neither the Effect of Fear, Interest, or Resentment; therefore you may be sure it is sincere: and for that reason it may expect to be kindly received. Whether it will have power enough to Convince, dependeth upon the Reasons, of which you are to judge; and upon your preparation of Mind, to be perswaded by Truth, whenever it appeareth to you. It ought not to be the less welcome, for coming from a friendly hand, one whose kindness to you is not lessened by difference of Opinion, and who will not let his thoughts for the Publick be so tied or confined to this or that Sub-division of Protestants, as to stifle the Charity, which, besides all other Arguments, is at this time become necessary to preserve us.

I am neither surprized nor provoked, to see that in the condition you were put into by the Laws, and the ill circumstances you lay under, by having the Exclusion and Rebellion laid to your Charge, you were desirous to make your selves less uneasy and obnoxious to Authority. Men who are sore, run to the nearest Remedy with too much hast, to consider all the consequences: Grains of allowance are to be given, where Nature giveth such strong Influences. When to men under Sufferings it offereth Ease, the present Pain will hardly allow time to examine the Remedies; and the strongest Reason can hardly gain a fair Audience from our Mind, whilst so possessed, till the smart is a little abated.

I do not know whether the Warmth that naturally belongeth to new Friendships, may not make it a harder Task for me to perswade you. It is like telling Lovers, in the beginning of their Joys, that they will in a little time have an end. Such an unwelcome Style doth not easily find credit: but I will suppose you are not so far gone in your new Passion, but that you will hear still; and therefore I am under the less discouragement, when I offer to your considera-

tion two things. The *first* is, the Cause you have to suspect your new Friends. The *second*, the Duty incumbent upon you, in Christianity and Prudence, not to hazard the publick Safety, neither by Desire of Ease, nor of Revenge.

To the *first*: Consider these notwithstanding the smooth Language which is now put on to engage you, these new Friends did not make you their Choice, but their Refuge: They have ever made their first Courtships to the Church of *England*, and when they were rejected there, they made their Application to you in the second place. The Instances of this, might be given in all times. I do not repeat them, because whatsoever is unnecessary, must be tedious, the truth of this Assertion being so plain, as not to admit a Dispute. You cannot therefore reasonably flatter your selves, that there is any Inclination to you. They never pretended to allow you any Quarter, but to usher in Liberty for themselves under that shelter. I refer you to Mr. *Coleman's Letters*, and to the *Journals of Parliament*, where you may be convinced, if you can be so mistaken, as to doubt; nay, at this very hour, they can hardly forbear, in the height of their Courtship, to let fall hard words of you. So little is Nature to be restrained; it will start out sometimes, disdaining to submit to the Usurpation of Art and Interest.

This Alliance, between *Liberty* and *Infallibility*, is bringing together the Two most contrary things that are in the World. The Church of *Rome* doth not only dislike the allowing Liberty, but by its Principles it cannot do it. Wine is not more expressly forbidden to the *Mahometans*, than giving Hereticks Liberty is to *Papists*: They are no more able to make good their Vows to you, than Men Married before, and their Wife alive, can confirm their Contract with another. The continuance of their kindness, would be a habit of Sin, of which they are to repent, and their Absolution is to be had upon no other terms, than their Promise to destroy you. You are therefore to be hugged now,

only that you may be the better squeezed at another time. There must be something Extraordinary, when the Church of *Rome* fetters up Bills, and offereth Plaisters for tender Consciences: By all that hath hitherto appeared, her skill in Chirurgery lieth chiefly in a quick Hand, to cut off Limbs; but she is the worst at Healing, of any that ever pretended to it.

To come so quick from another extrem, is such an unnatural motion, that ye ought to be upon your Guard; the other day you were *Sons of Belial*, Now you are *Angels of Light*. This is a violent change, and it will be fit for you to pause upon it, before you believe it: If your features are not altered, neither is their opinion of you, whatever may be pretended. Do you believe less than you did, that there is Idolatry in the Church of *Rome*? sure you do not. See then, how they treat both in Words and Writing, those who entertain that opinion. Conclude from hence, how inconsistent their favour is with this single Article, except they give you a Dispensation for this too, and by a *Non Obstante*, secure you that they will not think the worse of you.

Think a little how dangerous it is to build upon a Foundation of Paradoxes. Popery now is the only friend to Liberty, and the known enemy to Persecution: The men of *Taunton* and *Tiverton*, are above all other eminent for Loyalty. The *Quakers* from being declared by the *Papists* not to be Christians, are now made Favourites, and taken into their particular Protection; they are on a sudden grown the most Accomplished men of the Kingdom, in good Breeding, and give Thanks with the best Grace, in double refined Language. So that I should not wonder, tho a man of that Perswasion, in spite of his Hat, should be Master of the Ceremonies. Not to say harsher words, these are such very new things, that it is impossible not to suspend our Belief, till by a little more Experience we may be inform'd whether they are Realities or Apparitions: We have been under shameful mistakes, if these Opinions are true; but for the present, we are apt to be incredulous; except we could be convinced, that the Priests words in this Case too, are able to make such a sudden, and effectual change; and that their Power is not limited to the Sacrament, but that it extendeth to alter the nature of all other things, as often as they are so disposed.

Let me now speak of the Instruments of your Friendship, and then leave you to judge, whether they do not afford matter of Suspition. No Sharp-

ness is to be mingled where Healing only is intended; so nothing will be said to expose particular men, how strong so ever the Temptation may be, or how clear the Proofs to make it out. A word or two in general, for your better caution, shall suffice: Suppose then, for Argument's sake, that the Mediators of this new Alliance, should be such as have been formerly employed in Treaties of the same kind, and there detected to have Acted by Order, and to have been Impowered to give Encouragements and Rewards. Would not this be an Argument to suspect them?

If they should plainly be under Engagements to one side, their Arguments to the other, ought to be received accordingly; their fair Pretences are to be looked upon as part of their Commission, which may not improbably give them a Dispensation in the case of Truth, when it may bring a prejudice upon the Service of those by whom they are employed.

If there should be men who having formerly had Means and Authority to persuade by Secular Arguments, have in pursuance of that Power, sprinkled Money amongst the Dissenting Ministers; and if those very men should now have the same Authority, practice the same Methods, and Disburse, where they cannot otherwise persuade: It seemeth to me to be rather an Evidence than a Presumption of the Deceit.

If there should be Ministers amongst you, who by having fallen under Temptations of this kind, are in some sort engaged to continue their Fidelity, by the awe they are in least it should be exposed: The Persuasions of these unfortunate men must sure have the less force, and their Arguments, tho never so specious, are to be suspected, when they come from men who have Mortgaged themselves to severe Creditors that expect a rigorous observation of the Contract, let it be never so unwarrantable.

If these, or any others, should at this time Preach up Anger and Vengeance against the Church of *England*; may it not without Injustice be suspected, that a thing so plainly out of season, springeth rather from Corruption than Mistake; and that those who act this Cholerick part, do not believe themselves, but only pursue higher Directions, and endeavour to make good that part of their Contract which obligeth them, upon a Forfeiture, to make use of their inflaming Eloquence? They might apprehend their Wages would be retrenched if they should be Moderate: And therefore whilst Violence is their Interest, those who



have not the same Arguments, have no reason to follow such a Partial Example.

If there should be men who by the load of their Crimes against the Government, have been bowed down to comply with it against their Conscience; who by incurring the want of a Pardon, have drawn upon themselves the necessity of an intire Resignation: Such men are to be lamented, but not to be believed. Nay, they themselves, when they have discharged their Unwelcome Task, will be inwardly glad that their forced Endeavours do not succeed, and are pleased when men resist their Insinuations; which are far from being Voluntary or Sincere, but are Squeezed out of them by the weight of their being so Obnoxious.

If in the height of this great dearness by comparing things, it should happen, that at this instant, there is much a surer Friendship with those who are so far from allowing Liberty, that they allow no Living to a Protestant under them. Let the Scene lie in what part of the World it will, the Argument will come home, and sure it will afford sufficient ground to suspect. Apparent Contradictions must strike us; neither Nature nor Reason can digest them: Self-Flattery, and the desire to Deceive our selves, to gratifie a present Appetite, with all their Power, which is Great, cannot get the better of such broad Conviction, as some things carry along with them. Will you call these vain and empty Suspicions? have you been at all times so void of Fears and Jealousies as to justify your being so unreasonably Valiant in having none upon this occasion? Such an extraordinary Courage at this unseasonable time, to say no more, is too dangerous a Vertue to be commended.

If then for these and a thousand other Reasons, there is cause to suspect, sure your new Friends are not to Dictate to you, or Advise you; for instance, The Addresses that fly abroad every Week, and Murder us with *another to the same*; the first Draughts are made by those who are not very proper to be Secretaries to the Protestant Religion; and it is your part only to Write them out fairer again. Strange! that you who have been formerly so much against *Set-Forms*, should now be content the Priests should Indite for you. The nature of Thanks is an unavoidable consequence of being Pleas'd or Obliged; they grow in the Heart, and from thence shew themselves either in Looks, Speech, Writing, or Action: No man was ever Thankful because he was bid to be

so, but because he had, or thought he had some Reason for it. If then there is cause in this Case to pay such extravagant Acknowledgments, they will flow naturally, without taking such pains to procure them; and it is unkindly done to Tire all the Post-Horses with carrying Circular Letters to sollicite that which would be done without any trouble or constraint: If it is really in it self such a Favour, what needeth so much pressing men to be Thankful, and with such eager circumstances, that where Persuasions cannot delude, Threatnings are employed to fright them into a Compliance? Thanks must be voluntary, not only unconstrained, but unsolicited, else they are either Trifles or Snares, they either signifie nothing, or a great deal more than is intended by those that give them. If an inference should be made, That whosoever Thanketh the King for his Declaration, is by that engaged to Justifie it in point of Law; it is a greater Stride than, I presume, all those care to make who are perswaded to Address: If it shall be supposed, that all the Thankers will be Repealers of the TEST, whenever a *Parliament* shall Meet. Such an Expectation is better prevented before, than disappointed afterwards; and the surest way to avoid the lying under such a Scandal, is not to do any thing that may give a colour to the Mistake: These Bespoken Thanks are little less improper than Love-Letters that were Solicited by the Lady to whom they are to be Directed: so, that besides the little ground there is to give them, the manner of getting them doth extremely lessen their Value. It might be wished that you would have suppressed your impatience, and have been content for the sake of Religion, to enjoy it within your selves, without the Liberty of a publick Exercise, till a Parliament had allowed it; but since that could not be, and that the Artifices of some amongst you have made use of the Well-meant Zeal of the Generality to draw them into this Mistake; I am so far from blaming you with that sharpness which, perhaps, the Matter in strictness would bear, that I am ready to err on the side of the more gentle construction.

There is a great difference between enjoying quietly the advantages of an Act irregularly done by others, and the going about to support it against the Laws in being: the Law is so Sacred, that no Trespas against it is to be Defended; yet Frailties may in some measure be Excused, when they cannot be justified. The desire of enjoying a  
Liberty

Liberty from which men have been so long restrained, may be a Temptation that their Reason is not at all times able to resist. If in such a case, some Objections are leapt over, indifferent men will be more inclined to lament the Occasion, than to fall too hard upon the Fault, whilst it is covered with the Apology of a good Intention; but where to rescue your selves from the Severity of one Law, you give a Blow to all the Laws, by which your Religion and Liberty are to be protected; and instead of silently receiving the benefit of this Indulgence, you set up for Advocates to support it, you become voluntary Aggressors, and look like Council retained by the Prerogative against your old Friend *Magna Charta*; who hath done nothing to deserve her falling thus under your Displeasure.

If the case then should be, that the Price expected from you for this Liberty, is giving up your Right in the Laws, sure you will think twice, before you go any further in such a losing Bargain. After giving Thanks for the breach of one Law, you lose the Right of Complaining of the breach of all the rest; you will not very well know how to defend your selves, when you are pressed; and having given up the question, when it was for your advantage, you cannot recall it, when it shall be to your prejudice. If you will set up at one time a Power to help you, which at another time by parity of Reason shall be made use of to destroy you, you will neither be pitied, nor relieved against a Mischief you draw upon your selves, by being so unreasonably thankful. It is like calling in Auxiliaries to help, who are strong enough to subdue you: In such a case your Complaints will come too late to be heard, and your Sufferings will raise Mirth instead of Compassion.

If you think, for your excuse, to expound your Thanks so as to refrain them to this particular case, others, for their ends, will extend them further; and in these differing Interpretations, that which is back'd by Authority will be the most likely to prevail; especially when by the advantage you have given them, they have in truth the better of the Argument, and that the Inferences from your own Concessions are very strong, and express against you. This is so far from being a groundless Supposition, that there was a late instance of it, the last Session of Parliament, in the House of Lords, where the first Thanks, though things of course, were interpreted to be the Approbation of the King's whole Speech, and a Restraint from the further Examination of any part of it, though never so much disliked; and it was

with difficulty obtained, not to be excluded from the liberty of objecting to this mighty Prerogative of Dispensing, meerly by this innocent and usual piece of good Manners, by which no such thing could possibly be intended.

This sheweth, that some bounds are to be put to your good Breeding, and that the Constitution of *England* is too valuable a thing to be ventured upon a Complement. Now that you have for some time enjoyed the benefit of the End, it is time for you to look into the Danger of the Means: The same Reason that made you desirous to get Liberty, must make you solicitous to preserve it; so that the next thought will naturally be, not to engage your self beyond Retreat, and to agree so far with the Principles of all Religions, as not to rely upon a Death-bed Repentance.

There are certain Periods of Time, which being once past, make all Cautions ineffectual, and all Remedies desperate. Our Understandings are apt to be hurried on by the first Heats; which, if not restrained in time, do not give us leave to look back, till it is too late. Consider this in the case of your Anger against the Church of *England*; and take warning by their Mistake in the same kind, when after the late King's Restoration, they preserved so long the bitter taste of your rough usage to them in other times, that it made them forget their Interest, and sacrifice it to their Revenge.

Either you will blame this Proceeding in them, and for that reason not follow it, or if you allow it, you have no reason to be offended with them; so that you must either dismiss your Anger, or lose your Excuse; except you should argue more partially than will be supposed of men of your Morality and Understanding.

If you had now to do with those Rigid Prelates, who made it a matter of Conscience to give you the least Indulgence, but kept you at an uncharitable distance, and even to your more reasonable Scruples continued stiff and inexorable, the Argument might be fairer on your side; but since the Common Danger hath so laid open that Mistake, that all the former Haughtiness towards you is for ever extinguished, and that it hath turned the Spirit of Persecution, into a Spirit of Peace, Charity, and Condescension; shall this happy Change only affect the Church of *England*? and are you so in love with Separation, as not to be moved by this Example? It ought to be followed; were there no other reason than that it is a Vertue; but when be-

sides that, it is become necessary to your preservation, it is impossible to fail the having its Effect upon you.

If it should be said, that the Church of *England* is never Humble, but when she is out of Power, and therefore loseth the Right of being Believed when she pretendeth to it; the Answer is, *first*, it would be an uncharitable Objection, and very much mistimed; an unseasonable Triumph, not only ungenerous, but unsafe: So that in these respects it cannot be urged, without Scandal, even tho it could be said with Truth. *Secondly*, This is not so in Fact, and the Argument must fall, being built upon a false Foundation; for whatever may be told you, at this very hour, and in the heat and glare of your present Sun-shine, the *Church of England* can in a Moment bring Clouds again; and turn the Royal Thunder upon your Heads, blow you off the Stage with a Breath, if she would give but a Smile or a kind Word; the least Glimpse of her Compliance, would throw you back into the state of Suffering, and draw upon you all the Arrears of Severity, which have accrued during the time of this kindness to you, and yet the *Church of England*, with all her Faults, will not allow her self to be rescued by such unjustifiable means, but chuseth to bear the weight of Power, rather than lye under the burthen of being Criminal.

It cannot be said, that she is Unprovoked; Books and Letters come out every day, to call for Answers, yet she will not be stirred. From the supposed Authors, and the Stile, one would swear they were Undertakers, and had made a Contract to fall out with the *Church of England*. There are Lashes in every Address, Challenges to draw the Pen in every Pamphlet; in short, the fairest occasions in the World given to quarrel; but she wisely distinguisheth between the Body of Dissenters, whom she will suppose to Act, as they do, with no ill intent; and these small Skirmishers pickt and sent out to Picqueer, and to begin a Fray amongst the Protestants, for the entertainment, as well as the advantage of the *Church of Rome*.

This Conduct is so good, that it will be Scandalous not to Applaud it. It is not equal dealing, to blame our Adversaries for doing ill, and not commend them when they do well.

To hate them because they Persecuted, and not to be reconciled to them when they are ready to Suffer, rather than receive all the Advan-

tages that can be gained by a Criminal compliance, is a Principle no sort of Christians can own, since it would give an Objection to them never to be Answered.

Think a little, who they were that promoted your former Persecutions, and then consider how it will look to be angry with the Instruments, and at the same time to make a League with the Authors of your Sufferings.

Have you enough considered what will be expected from you? Are you ready to stand in every Borough by Virtue of a *Congé d'eslire*, and instead of Election, be satisfied if you are Returned?

Will you in *Parliament*, justify the Dispensing Power, with all its consequences, and Repeal the *Test*, by which you will make way for the Repeal of all the Laws, that were made to preserve your Religion, and to Enact others that shall Destroy it?

Are you disposed to change the Liberty of Debate, into the Merit of Obedience, and to be made Instruments to Repeal or Enact Laws, when the *Roman Consistory* are Lords of the Articles.

Are you, so linked with your new Friends, as to reject any Indulgence a *Parliament* shall offer you, if it shall not be so Comprehensive as to include the *Papists* in it?

Consider that the implied Conditions of your new Treaty are no less, than that you are to do every thing you are desired, without examining, and that for this pretended Liberty of Conscience, your real Freedom is to be Sacrificed: Your former Faults hang like Chains still about you, you are let loose only upon Bayl; the first Act of Non-compliance, sendeth you to Gaol again.

You may see that the *Papists* themselves do not rely upon the Legality of this Power, which you are to Justifie, since the being so very earnest to get it Etablissement by a Law, and the doing such very hard things in order, as they think to obtain it, is a clear Evidence, that they do not think, that the single Power of the Crown is in this Case a good Foundation; especially when this is done under a Prince, so very tender of all the Rights of Sovereignty, that he would think it a diminution to his Prerogative, where he conceiveth it strong enough to go alone, to call in the Legislative help to strengthen and support it.

You have formerly blamed the *Church of England*, and not without reason, for going so far as they

they did in their Compliance; and yet as soon as they stopped, you see they are not only Deserted, but Prosecuted: Conclude then from this Example; that you must either break off your Friendship, or resolve to have no Bounds in it. If they do not succeed in their Design, they will leave you first; if they do, you must either leave them, when it will be too late for your Safety, or else after the squeeziness of starting at a Surplice, you must be forced to swallow Transubstantiation.

Remember that the other day those of the Church of *England* were *Trimmers* for enduring you; and now by a sudden Turn, you are become the Favourites; do not deceive your selves, it is not the Nature of lasting Plants thus to shoot up in a Night; you may look gay and green for a little time, but you want a Root to give you a Continuance. It is not so long since, as to be forgotten, that the *Maxim* was, *It is impossible for a Dissenter, not to be a REBEL*. Consider at this time in *France*, even the new Converts are so far from being employed, that they are Disarmed; their sudden Change maketh them still to be distrusted, notwithstanding that they are Reconciled: What are you to expect then from your dear Friends, to whom, when ever they shall think fit to throw you off again, you have in other times given such Arguments for their excuse?

Besides all this, you act very unskilfully again your visible Interest, if you throw away the advantages, of which you can hardly fail in the next probable Revolution. Things tend naturally to what ye would have, if you would let them alone, and not by an unseasonable Activity lose the Influences of your good Star, which promiseth you every things that is prosperous.

The Church of *England* convinced of its Error in being Severe to you; the *Parliament*, when ever it meeteth, sure to be Gentle to you; the next Heir bred in the Country which you have so often Quoted for a Pattern of Indulgence; a general Agreement of all thinking Men, that we must no more cut our selves off from the Protestants abroad, but rather enlarge the Foundations upon which we are to build our Defences against the Common Enemy; so that in Truth, all things seem to conspire to give you Ease and Satisfaction, if by too much hast to anticipate your good Fortune, you do not destroy it.

The Protestants have but one Article of Humane Strength, to oppose the Power which is now against them, and that is, not to lose the advantage of their numbers, by being so unwary as to let themselves be divided.

We all agree in our Duty to our Prince, our Objections to his Belief, do not hinder us from seeing his Virtues; and our not complying with his Religion, hath no effect upon our Allegiance; we are not to be Laughed our of our Passive Obedience, and the Doctrine of Non-Resistance, tho even those who perhaps owe the best part of their Security to that Principle, are apt to make a Jest of it.

So that if we give no advantage by the fatal Mistake of misapplying our Anger, by the natural course of things, this Danger will pass away like a Shower of Hail; fair Weather will succeed, as lowering as the Sky now looketh, and all by this plain and easy Receipt. Let us be still, quiet, and undivided, firm at the same time to our Religion, our Loyalty, and our Laws, and so long as we continue this method, it is next to impossible, that the odds of two hundred to one should lose the Bet; except the Church of *Rome*, which hath been so long barren of Miracles, should now in her declining Age, be brought to Bed of One that would out-do the best she can brag of in her Legend.

To Conclude, the short Question will be, Whether you will joyn with those who must in the end run the same Fate with you. If Protestants of all sorts, in their Behaviour to one another, have been to blame, they are upon the more equal terms, and for that very reason it is fitter for them now to be reconciled. Our Division is not only a Reproach, but a Danger to us; those who believe in modern Miracles, have more Right, or at least more Excuse, to neglect all Secular Cautions; but for us, it is as justifiable to have no Religion, as wilfully to throw away the Humane Means of preserving it. I am,

Dear SIR,

Your most Affectionate

Humble Servant,

T. W.

## The ANATOMY of an EQUIVALENT.

**I** THE World hath of late years never been without some extraordinary *Word* to furnish the Coffee-houses and fill the Pamphlets. Sometimes it is a *new* one invented, and sometimes an *old* one revived. They are usually fitted to some present Purpose, with Intentions as differing as the various Designs several Parties may have, either to delude the People, or to expose their Adversaries: They are not of long continuance, but after they have passed a little while, and that they are grown Nauseous by being so often repeated, they give place to something that is newer. Thus, after *Whig*, *Tory*, and *Trimmer*, have had their time, now they are dead and forgotten, being supplanted by the word *Equivalent*, which reigneth in their stead.

The Birth of it is in short this: After many repeated Essays to dispose Men to the Reperl of Oaths and Tests, made for the security of the Protestant Religion, the general aversion to comply in it was found to be so great, that it was thought adviseable to try another manner of attempting it, and to see whether by putting the *same thing into another Mould*, and softening an *harsh Proposition by a plausible Term*, they might not have better success.

To this end, instead of an *absolute quitting* of these Laws, without any Condition, which was the *first Proposal*; Now it is put into gentler Language, and runneth thus; *If you will take away the Oaths and Tests, you shall have as good a thing for them.* This put into the fashionable Word, is now called an *Equivalent*.

**II.** So much to the Word it self. I will now endeavour in short to examin and explain, in order to the having it fully understood,

First, What is the nature of a true *Equivalent*; and

In the next place, What things are not to be admired under that denomination.

I shall treat these as general Propositions; and tho I cannot undertake how far they may be *convincing*, I may safely do it, that they are *impartial*; of which there canbe no greater evidence than that I make neither Inference, nor

Application, but leave that part intirely to the Reader, according as his own Thoughts shall direct and dispose him.

**III.** I will first take notice, that this Word, by the Application which hath been made of it in some modern instances, lieth under some *Disadvantage*, not to say some *Scandal*. It is transmitted hither from *France*; and if as in most other things that we take from them, we carry them beyond the Pattern, it should prove so in this, we should get into a more *partial* Stile than the Principles of English Justice will I hope ever allow us to be guilty of.

The *French King's Equivalents in Flanders*, are very *extraordinary Bargains*; his manner of proposing and obtaining them, is very differing from the usual methods of *equal* dealing. In a later Instance, *Denmark*, by the encouragement as well as by the example of *France*, hath propos'd things to the Duke of *Holstein*, which are called *Equivalents*, but that they are so, the World is not yet sufficiently convinc'd, and probably the Parties concern'd do not think them to be so, and consequently do not appear to be at all disposed to accept them. Princes enjoy and prescribe such things when they have *Strength and Power* to supply the want of *Arguments*; and according to practice in these Cases, the weaker are never thought to have an *ill Bargain*, if they have *any thing* left them. So that the first Qualification of an *Equivalent*, must be, that the Appraisers be *indifferent*, else it is only a *Sound*, there can be nothing *real* in it: For, where the same party that *proposeth* a Bargain, claimeth a Right to set the *Value*; or which is worse, hath *power* too to make it good; the other may be forced to *submit* to the Conditions, but he can by no means ever be persuaded to *treat* upon them.

**IV.** The next thing to be consider'd is, that to make an *Equivalent* in reality an equal thing in the Proposer, it must be a *better* thing than that which is required by him; *just as good* is subject to the hazard of not being *quite so good*: It is not easie to have such an even hand as to make the Value exactly equal; besides, according to



to the Maxim in Law, *Melior conditio possidentis*, the Offer is not fair, except the thing offered is better in value than the thing demanded. There must be allowance for removing what is fixed, and there must be something that may be a justification for *changing*. The value of things very often dependeth more upon other circumstances, than upon what is merely intrinsic to them; therefore the calculation must be made upon that foot, perhaps in most cases; and particularly the *want* which one of the parties may have of the thing he requireth, maketh it more valuable to him than it is in it self. If the party *proposing* doth not want the thing he would have in Exchange, his requiring it is *impertinent*: If he doth, his want of it must go into the appraisement, and by consequence every Proposer of an *Equivalent* must offer a better thing, or else he must not take it unkindly to be refused, except the other party hath an *equal want* of the same thing, which is very improbable, since naturally he that wanteth most, will speak first.

V. Another thing necessary to the making a fair Bargain is, that let the parties who treat, be they never so unequal in themselves, yet as to the particular thing proposed, there must be an *exact equality*, as far as it relateth to the full Liberty of *taking or refusing, concurring or objecting*, without any consequence of Revenge, or so much as Dissatisfaction; for it is impossible to treat where it is an Affront to differ; in that case there is no mean between the two extremes, either an open Quarrel or an intire Submission; the way of Bargaining must be equal, else the Bargain it self cannot be so: For example, the Proposer is not only to use equal terms as to the matter, but fair ones in the manner too. There must be no intimations of Anger in case of refusal, much less any open Threatning. Such a Stile is so ill suited to the usual way of Treating, that it looketh more like a Breach of the Peace, than the making a Bargain. It would be yet more improper and less agreeing with the nature of an *Equivalent*, if whilst two men are chaffering about the Price, one of them should actually take the thing in question at his own rate, and afterwards desire to have his possession confirmed by a formal Agreement; such a proceeding would not only destroy that particular contract, but make it impossible to have any other, with the party that could be guilty of such a practice.

VI. Violence preceding destroyeth all Contract, and even tho the party that offereth it should have a right to the thing he so taketh, yet it is to be obtained by legal means, else it may be forfeited by his irregularity in the pursuit of it: The Law is such an Enemy to Violence, and so little to be reconciled to it, that in the case of a Rape, the Punishment is not taken off, tho the party injured afterwards consenteth. The Justice of the Law hath its eye upon the first act, and the Maxim of *Volenti non fit injuria*, doth not in this case help the Offender, it being a plea subsequent to the Crime, which maketh it to be rejected as a thing wrong dated and out of time.

In taking away Goods or Money it is the same thing. The party robbed, by giving them afterwards to the taker, does not exempt him from the Punishment of the Violence: Quite contrary, the Man from whom they were taken is punishable, if he doth not prosecute. If the case should be, that a Man thus taking away a thing without price, claimeth a right to take it, then whether it is well or ill founded is not the Question; but sure, the party from whom it is so taken, whilst he is treating to Sell or Exchange it, can never make a Bargain with so arbitrary a Chapman, there being no room left after that to talk of the Value.

VII. To make an equal Bargain there must be a liberty of differing, not only in every thing that is really essential, but in every thing that is thought so by either party, and most especially by him who is in possession of the thing demanded: His Opinion must be a Rule to him, and even his Mistake in the Value, tho it may not convince the Man he hath to deal with, yet he will be justified for not accepting what is offered, till that Mistake is fairly rectified and overruled.

When a Security is desired to be changed, that side which desireth it must not pretend to impose upon the other, so as to dictate to them, and tell them without debate, that they are safe in what is proposed, since of that the Counsel on the other side must certainly be the most competent Judges. The hand it cometh from is a great Circumstance, either to invite or discourage in all matters of Contract; the Qualifications of the Party offering, must suit with the Proposition it self, else let it be never so fair, there is ground for Suspicion.

VIII. Whan Men are of a temper, that they think they have *wrong* done them, if they have not always the *better* side of a Bargain: If they happen to be such as by experience have been found to have an *ill Memory* for their Word. If the Character they bear, doth not recommend their *Justice*, where ever their *Interest* is concern'd. In these cases, thinking Men will avoid dealing, not only to prevent *surprize*, but to cut off the occasions of *difficulty* or *dispute*.

It is yet *more discouraging*, when there are, either a *precedent* Practice, or *standing* Maxims of *gross Partiality*, in assuming a priviledg of *exemption* from the usual methods of *equal* dealing.

To illustrate this by an Instance. Suppose that in any case, the Church of *Rome* should have an *Interest* to promote a Bargain; let her *way of dealing* be a little examin'd, which will direct those with whom she treateth, how far they are to rely upon what she *proposeth* to them. We may begin with the *Quality* in the *World*, the least consisting with *equal* dealing, *viz.* An incurable *Partiality* to herself; which, that it may arrive to its full perfection, is crowned with *Infallibility*. At the first setting out, she maketh her self incapable of dealing upon terms of *Equality*, by the Power she claimeth of *binding* and *loosng*, which hath been so often applied to *Treaties*, as well as to *Sins*.

If the definition of *Justice* is to deal *equally*, she cannot be guilty of it without *betraying* her *Prerogative*, and according to her Principles, she giveth up the *Superiority* derived to her by *Apostolical Succession*, if she degradeth her self so as to be judged by the *Rules of common Right*, especially if the Bargain should be with *Hereticks*, who in her Opinion have *forfeited* the claim they might otherwise have had to it.

IX. Besides, her Taste hath been so spoiled by *unreasonable Bargains*, that she can never bring down her *Palate* to any thing that is *fair* or *equal*. She hath not only judg'd it an *Equivalent*, but a *great Bargain* for the other side, to give them *Absolutions* and *Indulgences* for the *real Payment* of great Sums, for which she hath drawn *Bills* to have them repayed with *Interest* in *Purgatory*.

This *Spiritual Bank* hath carried on such a *Trade* upon these *advantageous Terms*, that it can never submit to the small Profits an ordinary *Bargain* would produce.

The several Popes have in exchange for the *Peter-Pence*, and all their other *Rents* and *Fines*

out of *England*, sent *sanctified Roses*, *Reliques*, and other such *Wonder-working Trifles*. And by virtue of their Character of *Holy Fathers*, have used Princes like *Children*, by sending them such *Rattles* to play with, which they made them buy at *extravagant Rates*; besides which, they were to be *thankful* too, into the bargain.

A *Chip of the Cross*, a piece of *St. Lawrence's* Gridiron, a *Hair of St. Peter*, have been thought *Equivalents* for much more *substantial* things. The Popes being *Masters of the Jewel-House*, have set the *Rates* upon them, and they have passed; though the whole *Shop* would not take up the value of a *Bodkin* in *Lombardstreet* upon the credit of them.

They are *unconscionable Purchasers*, for they get all the *Money* from the *living* by praying for them when they are *dead*. And it is observable, that the *Northern part of Christendom*, which best understandeth *Trade*, were the first that *refused* to make any more *Bargains* with them; so that it looketh as if the chief quarrel to the *Hereticks* was not as they were *ill Christians*, but as they were *unkind Merchants*, in so discourteously rejecting the *Commodities* of the growth of *Rome*.

To conclude this Head, There is no *bartering* with *Infallibility*, it being so much *above Equality*, that it cannot bear the *Indignity* of a *true Equivalent*.

X. In all *Bargains* there is a necessity of looking back, and reflecting how far a *present proposal* is reconcilable with a *former practice*; For Example, if at any time a thing is offered, quite *differing* from the *Arguments* used by the Proposer, and *inconsistent* with the *Maxims* held out by him at other times. Or in a *Publick* case, if the same men who promote and press a thing with the *utmost violence*, do in a little time after with *as much violence* press the *contrary*, and profess a *detestation* of the *very thing*, for which they had before employed all their *Interest* and *Authority*. Or if in the case of a *Law* already made, there should be a *privilege* claimed to *exempt* those from the obligation of observing it, who yet should afterwards *desire* and *press* to have a *new Law* made in exchange for the *old* one, by which they would not be bound; and that they should propose a *security* by a thing of the very *same nature* as that which they did *not* allow to be any *before*. These *Incoherences* must naturally have the effect of raising *suspicion*, or rather they

are a *certain proof*, that in such circumstances it is *irrational* for men to expect an *effectual Equivalent*.

XI. If whatsoever is more than *ordinary* is *suspicious*, every thing that is *unnatural* is more so : It is not only *unnecessary* but *unnatural* too to *performed* with *violence* what it is *folly* to *refuse* ; to *push* men with *eagerness* into a *good Bargain* for *themselves* , is a *stife* very much *unfuitable* to the *nature* of the thing. But it goeth further and is yet more *absurd*, to grow *angry* with men for *not* receiving a *Proposal* that is for their *advantage* ; Men ought to be content with the *Generosity* of offering good *Bargains*, and should give their *compassion* to those who do *not* understand them : but by carrying their good *nature* so far as to be *Cholerick* in such a case, they would follow the example of the *Church of Rome*, where the definition of *Charity* is very extraordinary. In her Language, the *Writ de Hæretico Comburendo* is a *Love-Letter*, and *burning* men for differing with them in *Opinion*, howsoever *miscalled Cruelty*, is as they understand it, the *perfection* of *flaming Charity*.

When *Anger* in these cases lasteth *long*, it is most probable that it is for our *own sakes* ; Good nature for *others* is one of those *Diseases* that is *cured* by *time*, and especially where it is *offered* and *rejected* ; but for *our selves* it never *faileth*, and cannot be *extinguished* but with our *life*. It is fair if men can believe that their friends love them *next* to themselves, to love them *better* is too much ; the *Expression* is so *unnatural* that it is *cloying*, and men must have no *sense*, who in this case have no *suspicion*.

XII. Another Circumstance necessary to a *fair Bargain* is, That there must be *openness* and *freedom* allowed, as the effect of that *equality* which is the foundation of *Contracting*. There must be full liberty of *objecting*, and making *doubts* and *scruples* : If they are such as can be *answered*, the party convinced is so much the more *confirmed* and *encouraged* to deal, instead of being *hindered* by them ; but if instead of an *answer* to satisfy, there is nothing but *anger* for a reply, it is impossible not to conclude that there is never a good one to give ; so that the *objection* remaining without being fully *confuted*, there is an *absolute bar* put to any further *Treaty*.

There can be no dealing where one side assumeth a *privilege* to *impose*, so as to make an *offer* and not bear the *examination* of it ; this is

giving *judgment*, not making a *bargain*. Where it is called *unmanly* to *object*, or *criminal* to *refuse*, the surest way is for men to stay where they are, rather than treat upon such *disadvantages*.

If it should happen to be in any Country where the governing power should allow men *Liberty of Conscience* in the choice of their *Religion*, it would be strange to deny them *Liberty of speech* in making a *bargain*. Such a contradiction would be so discouraging, that they must be *unreasonably sanguine*, who in that case can entertain the hopes of a *fair Equivalent*.

XIII. An *equal Bargain* must not be a *Mystery* nor a *Secret*, The purchaser or proposer is to tell *directly* and *plainly*, what it is he intendeth to give in *Exchange* for that which he requireth. It must be *viewed* and *considered* by the other party that he may judge of the value ; for without *knowing* what it is, he cannot determine whether he shall *take* or *leave* it. An assertion in *general*, that it shall be *as good* or a *better* thing, is not in this a *sufficient excuse* for the mistake of dealing upon such *uncertain* terms. In all things that are dark and not enough explained, *suspicion* naturally followeth : A *secret* generally implieth a *defect* or a *deceit* ; and if a *false light* is an objection, *no light* at all is yet a greater. To pretend to give a *better* thing, and to refuse to *show* it, is very near saying, it is *not so good* a one ; at least so it will be taken in common construction. A *Mystery* is yet a more discouraging thing to a *Protestant* ; especially if the Proposition should come from a *Papist* ; it being one of his great *Objections* to that Church, that there are so many of them *Invisible* and *Impossible*, which are so violently thrust upon their understandings ; that they are overlaid with them. They think that *rational creatures* are to be convinced only by *reason*, and that *reason* must be *visible* and *freely exposed* ; else they will think themselves used with *contempt* instead of *equality*, and will never allow such a *suspected secrecy* to be a fit Preface to a *real Equivalent*.

XIV. In matters of *Contract* not only the *present* value, but the *contingencies* and *consequences*, as far as they can be fairly supposed, are to be considered. For Example, if there should be a *possibility*, that one of the parties may be *ruined* by *accepting*, and the other only *disappointed* by his *refusing* ; the consequences are so extremely *unequal*, that it is not imaginable, a man should take

take that for an *Equivallent*, which hath such a *fatal possibility* at the heels of it.

If it should happen in a *publick* case, that such a proposal should come from the *minor* part of an Assembly or Nation, to the *greater*; It is very just, that the *hazard* of such a *possibility* should more or less likely fall upon the *lesser* part, rather than upon the *greater*; for *whose* sake and *advantage* things are and must be calculated in all *publick Constitutions*. Suppose in any mixed Government, the *chief Magistrate* should propose upon a condition, in the *Senate*, *Diet*, or other *Supreme Assembly*, either to Enact or Abrogate one or more Laws, by which a *possibility* might be let in of *destroying* their *Religion* and *Property*, which in other language signifieth no less than *Soul and Body*; where could be the *Equivallent* in the case, not only for the *real loss*, but even for the *fear* of *losing* them? Men can fall no lower than to *lose all*, and if *losing* all destroyeth them, the *venturing* all must *fright* them.

In an instance when Men are secure, that how far soever they may be over-run by *Violence*, yet they can never be undone by *Law*, except they give their assistance to make it possible; though it should neither be likely nor intended, still the *consequence* which may happen is too big for any present thing to make amends for it. Whilst the word *Possible* remaineth, it must *forbid* the *Bargain*. Where ever it falleth out therefore, that in an Example of a publick nature, the *Changing*, *Enacting*, or *Repealing* a *Law*, may naturally tend to the *mislacing* the *Legislative* power in the hands of those who have a *separate interest* from the body of a People, there can be no treating, till it is demonstrably made out, that such a consequence shall be *absolutely impossible*; for if that shall be *denied* by those who make the proposal, if it is because they *cannot* do it, the motion at first was very *unfair*. If they *can* and *will not*, it would be yet less reasonable to expect that such *partial dealers* would ever give an *Equivallent* fit to be *accepted*.

XV. It is necessary in all dealing to be assured in the first place, that the *party proposing* is in a condition to *make good* his Offer; that he is neither under any former *Obligations* or *pretended Claims*, which may render him incapable of performing it; else he is so far in the condition of a *Minor*, that whatever he disposeth by sale or exchange may be afterwards resumed, and the Contract becometh void, being *originally de-*

*fective*, for want of a *sufficient legal power* in him that made it.

In the case of a strict Settlement, where the party is only *Tenant for life*, there is no possibility of treating with one under such fetters; no purchase or exchange of Lands, or any thing else can be good, where there is such an *incapacity* of making out a Title; the interest vested in him being so *limited*, that he can do little more than pronounce the *words* of a Contract, he can by no means perform the *effect* of it.

In more *publick* instances, the *impossibility* is yet more express; as suppose in any Kingdom, where the *people* have so much liberty left them, as that they may make Contracts with the *Crown*, there should be some *peculiar rights* claimed to be so *fixed* to the Royal Function, that no King for the time being could have power to *part* with them, being so *fundamentally* tied to the Office, that they can never be *separated*. Such *Rights* can upon no occasion be received in *exchange* for any thing the *Crown* may desire from the *People*: That can never be *taken* in payment, which cannot lawfully be *given*, so that if they should part with that which is required upon those terms, it must be a *gift*, it cannot be a *bargain*.

There is not in the whole *Dictionary* a more untractable word than *Inherent*, and less to be reconciled to the word *Equivallent*.

The party that will Contract in spite of such a Claim, is content to *take* what is *impossible* to *grant*, and if he complaineth of his *Disappointment*, he neither can have Remedy, nor *disavoweth* it.

If a Right so claimed hapneth to be of so *comprehensive* a nature, as that by a clear inference it may extend to *every thing else*, as well as to the *particular* matter in question, as often as the *Supreme Magistrate* shall be so disposed, there can in that case be no *treating* with a *Prerogative* that swalloweth all the Right the *People* can pretend to; and if they have no right to any thing of which they are possessed, it is a *Jest* and not a *Bargain*, to observe any *Formality* in parting with it.

A Claim may be so stated, that by the *power* and *advantage* of *interpreting*, it shall have such a murdering eye, that if it looketh upon a *Law*, like a *Basilisk*, it shall strike it dead: Where is the possibility of *Treating*, where such a *Right* is assumed? Nay, let it be supposed,

that such a Claim is *not well founded in Law*, and that upon a free disquisition it could *not be made out*; yet even in this case, none that are well advised will conclude a Bargain, till it is *fully stated and cleared*, or indeed, so much as *engage in a treaty*, till by way of preliminary all *possibility shall be remov'd* of any trouble or dispute.

XVI. There is a *collateral* circumstance in making a Contract, which yet deserveth to be considered, as much as any thing that belongeth to it; and that is the *character and figure of the parties* contracting; if they treat only by *themselves*, and if by others, the *Qualifications of the Instruments* they employ.

The Proposer especially, must not be so low as to want *credit*, nor so raised as to carry him above the reach of *ordinary dealing*. In the first, There is *scandal*, in the other *danger*. There is no Rule without some Exception, but generally speaking, the *means* should be suited to the *end*; and since all Men who treat, pretend an *equal bargain*, it is desirable that there may be *equality in the persons*, as well as in the *thing*.

The *manner of doing things* hath such an influence upon the *matter*, that Men may guess at the *end* by the *instruments* that are used to obtain it, who are a very *good direction* how far to rely upon or suspect the *sincerity* of that which is proposed. An *Absurdity* in the way of *carrying on a Treaty* in any *one* Circumstance, if it is very gross, is enough to persuade a thinking Man to break off, and take warning from such an *ill appearance*. Some things are so glaring that it is impossible not to *see*, and consequently not to *suspect* them; as suppose in a private case there should be a *Treaty of Marriage* between two Honourable Families, and the proposing side should think fit to send a *Woman* that had been *Carted* to persuade the *young Lady* to an approbation and consent; the *unfitness of the Messenger* must naturally dispose the other party to *distrust the Message*, and to resist the temptation of the *best March* that could be offered, when conveyed by that *hand*, and ushered in by such a *discouraging preliminary*.

In a public instance the suspicion arising from *unfit Mediators*, still groweth more reasonable in proportion, as the *consequence* is much *greater* of being deceived. If a *Jew* should be employed to solicit all sorts of *Christians* to *unite and agree*; the *contrariety* of his *profession*, would not allow men to stay till they heard his Arguments,

they would conclude from his *Religion*, that either the *Man himself* was mad, or that he thought those to be so, whom he had the *Impudence* to endeavour to persuade.

Or suppose an *Admirer* should be very solicitous and active, in all places, and with all sorts of Persons, to settle the *Church of England* in particular, and a fair *Liberty of Conscience* for all Dissenters; though nothing in the *World* had more to be said for it than *Naked Truth*, yet if such a *Man* should run up and down without Cloaths, let his Arguments be never so good, or his Commission never so Authentick, his *Figure* would be such a *contradiction* to his *business*, that how serious soever that might be in it self, his *interposition* would make a Jest of it.

Though it should not go so far as this, yet if Men have *contrarieties* in their way of *living* not to be reconciled; as if they should pretend infinite zeal for *liberty*, and at that time be in great *favour*, and employed by those who will not *endure* it.

If they are affectedly *singular*, and conform to the generality of the *World* in *no one* thing, but in playing the *knave*.

If *demonstration* is a familiar word with them, most especially where the thing is *impossible*.

If they quote *Authority* to supply their want of *sense*, and justify the value of their Arguments, not by *reason*, but by their being *paid* for them, (in which, by the way, those who pay them have probably a very *melancholly Equivalent*.) If they brandish a *Prince's Word* like a *Sword* in a *Crowd*, to make way for their own *impertinence*; and in dispute, as *Criminals* formerly fled to the *Statue* of the *Prince* for Sanctuary; if they should now, when baffled, creep under the protection of a *Kings Name*, where out of respect they are no farther to be pursued.

In these cases, Though the propositions should be *really* good, they will be corrupted by passing through such *Conduits*, and it would be a sufficient *Mistake* to enter into a *Treaty*; but it would be little less than *Madness* from such hands to expect an *Equivalent*.

XVII. Having touched upon these particulars as necessary in order to the stating the nature of an *equal Bargain*, and the Circumstances belonging to it, let it now be examined in two or three instances, what things are not to be admitted by way of Contract, to pass under the Name of an *Equivalent*.



First, Though it will be allowed, that in the general corruption of mankind, which will not admit Justice alone to be a sufficient tie to make good a Contract, that a Punishment added for the breach of it, is a *sitting* or rather a *necessary* Circumstance; yet it does not follow, that in all cases, a great Penalty upon the party offending is an absolute and an entire Security. It must be considered in every particular case, how far the Circumstances may rationally lead a Man to rely more or less upon it.

In a private instance, the Penalty inflicted upon the breach of Contract must be, First, such a one as the party injured can enforce, and Secondly, such a one as he will enforce, when it is in his power.

If the Offending Party is in a capacity of hindring the other from bringing the Vengeance of the Law upon him. If he hath strength or privilege sufficient to over-rule the Letter of the Contract; in that case a Penalty is but a Word, there is no consequence belonging to it. Secondly, The forfeiture or punishment must be such as the Man aggrieved will take; for Example, if upon a Bargain, one of the Parties shall stipulate to subject himself, in case of his failure to have his Ears cut, or his Nose slit by the other, with security given, that he shall not be prosecuted for executing this part of the Agreement, the Penalty is heavy enough to discourage a Man from breaking his Contract: but on the other side it is of such a kind, that the other how much soever he may be provoked, will not in cold blood care to inflict it. Such an extravagant Clause would seem to be made only for show and sound, and no man would think himself safer by a thing which one way or other is sure to prove ineffectual.

In a publick Case, Suppose a Government so constituted that a Law may be made in the nature of a Bargain, it is in itself no more than a dead letter, the life is given to it by the execution of what it containeth; so that let it in it self be never so perfect, it dependeth upon those who are intrusted with seeing it observed.

If it is in any Countrey where the chief Magistrate chuseth the Judges, and the Judges interpret the Laws; a Penalty in any one particular Law can have no effect but what is precarious. It may have a loud voice to threaten, but it has not an hand to give a blow; for as long as the Governing Power is in possession of this Prerogative, let who will chuse the Meat, if they chuse the

Cooks, it is they that will give the taste to it. So that it is clear that the rigour of a Penalty will not in all cases fix a Bargain, neither is it Universally a true Position, that the increase of punishment for the breach of a new Law, is an Equivalent for the consent to part with an old one.

XVIII. In most Bargains there is a reference to the time to come, which is therefore to be considered as well as that which cometh within the compass of the present valuation.

Where the Party Contracting hath not a full power to dispose what belongeth on him or them in Reversion, who shall succeed after him in his Right; he cannot make any part of what is so limited to be the condition of the Contract. Further, he cannot enjoy the Heir or Successor to forbear the exercise of any Right, that is inherent to him, as he is a Man: neither can he restrain him without his own consent, from doing any act which in it self is lawful, and liable to no objection. For Example, A Father cannot stipulate with any other Man, that in Consideration of such a thing done, or to be done, his Son shall never Marry; because Marriage is an Institution Established by the Laws of God and Man, and therefore no body can be so restrained by any power from doing such an act, when he thinketh fit, being warranted by an Authority that is not to be controuled.

XIX. Now as there are Rights inherent in Mens persons in their single capacities, there are Rights as much fixed to the Body Politick, which is a Creature that never dieth. For instance, There can be no Government without a Supreme Power, that Power is not always in the same hands, it is in different shaps and dresses, but still wherever it is lodged, it must be unlimited: It hath a jurisdiction over every thing else, but it cannot have it above it self. Supreme Power can no more be limited than Infinity can be measured; because it ceaseth to be the thing, itsvery being is dissolved, when any bounds can be put to it.

Where this Supreme Power is mixed, or divided, the shape only differeth, the Argument is still the same.

The present State of Venice cannot restrain those who succeed them in the same power, from having an entire and unlimited Sovereignty; they may indeed make present Laws which shall retrench their present Power, if they are

so disposed, and those *Laws* if not *repealed* by the *same Authority* that enacted them, are to be *observed* by the succeeding Senate till they think fit to abrogate them, and no longer; for if the Supreme Power shall still reside in the Senate, perhaps composed of *other Men*, or of *other minds* (which will be sufficient) the necessary consequence is, that *one Senate* must have as much right to *alter* such a Law, as *another* could have to *make* it.

XX. Suppose the *Supreme Power* in any State should make a *Law*, to enjoy all subsequent Law-makers to take an *Oath* never to *alter* it, it would produce these following Absurdities.

First, All *Supreme Power* being instituted to promote the *safety* and *benefit*, and to prevent the *prejudice* and *danger* which may fall upon those who live under the *protection* of it; the consequence of such an *Oath* would be, that all Men who are so trusted, shall take God to witness, that such a Law once made, being judged at the time to be *advantageous* for the publick, though afterwards by the vicissitude of times, or the variety of accidents or interests, it should plainly appear to them to be *destructive*, they will suffer it to have its course, and will never repeal it.

Secondly, If there could in any Nation be found a *set of Men*, who having a *part* in the *Supreme legislative Power*, should as much as in them lieth, betray their Country by such a criminal engagement, so *directly opposite* to the nature of their *Power*, and to the *Trust* reposed in them. If these Men have their power only for *life*, when they are dead such an *Oath* can operate no farther; and though that would be too long a Lease for the life of such a *Monster* as an *Oath* so composed, yet it must then certainly give up the ghost. It could bind none but the *first* makers of it, *another* generation would never be tied up by it.

Thirdly, In those Countries where the *Supreme Assemblies* are not constant *standing Courts*, but called together upon *occasions*, and composed of such as the People chuse for that time only, with a *Trust* and *Character* that remaineth no longer with them than that Assembly is regularly dissolved; such an *Oath* taken by the Members of a Senate, Diet, or other Assembly so chosen, can have very little effect, because at the next meeting there may be quite another set of Men who will be under no *Obligation* of that kind. The eternity intended to that Law by

those that made it, will be cut off by *new Men* who shall succeed them in their power, if they have a *differing Taste*, or another *Interest*.

XXI. To put it yet farther, Suppose a Clause in such a Law, that it shall be *criminal* in the last degree for any Man chosen in a subsequent Assembly, to *propose* the *repealing* it; and since nothing can be *Enacted* which is not first *proposed*, by this means it seemeth as if a Law might be created which should never die. But let this be Examined.

First, such a clause would be so *destructive* to the being of such a Constitution, as that it would be as reasonable to say, that a King had right to *give* or *sell* his Kingdom to a *foreign Prince*, as that any number of Men who are *intrusted* with the Supreme Power, or any part of it, should have a right to *impose* such shackles upon the Liberty of those who are to *succeed* them in the *same Trust*. The ground of that *Trust* is, that every Man who is chosen into such an Assembly, is to do all that in him lieth for the good of those who *chuse* him. The English of such a Clause would be, that he is *not* to do his *best* for those that *chuse* him, because though he should be *convinc'd* that it might be very *fatal* to continue that *Law*, and therefore very *necessary* to *repeal* it, yet he must not repeal it, because it is made a *Crime*, and attended with a *Penalty*.

But secondly, to shew the *empriness* as well as *injustice* of such a Clause, it is clear, that although such an Invasion of Right should be imposed, it will never be obeyed: There will only be *Deformity* in the *Monster*, it will neither sting nor bite. Such *Lawgivers* would only have the honour of attempting a *contradiction* which can never have any success; for as such a *Law* in it self would be a *madness*, so the *Penalty* would be a *Jest*; which may be thus made out.

XXII. A Law that carrieth in it self *Reason* enough to support it, is so far from wanting the *protection* of such a Clause, or from *needing* to take such an *extraordinary receipt* for long Life, that the *admitting* it must certainly be the *likeliest* and the *shortest* way to *destroy* it; such a Clause in a Law must imply an opinion that the *greatest* part of mankind is *against* it, since it is impossible such an exorbitance should be done for its *own sake*; to the end of it must be to *force* Men by a *Penalty*, to that which they could not be *perswaded* to, whilst their *Reason* is left at *liberty*. This Position being granted, which I think can hardly be denied, put the case that a

Law should be made with this *imaginary* Clause of *Immortality*, after which another *Assembly* is chosen, and if the majority of the *Electors* shall be *against* this Law, the greater part of the *Electors* must be so too, if the choice is fair and regular; which must be presumed, since the supposition of the contrary is not to come within this Argument. When these Men shall meet, the *Majority* will be visible before-hand of those who are *against* such a Law, so that there will be no hazard to any single Man in proposing the *Repeal* of it, when he cannot be *punished* but by the *Majority*, and he hath such a kind of assurance as cometh near a Demonstration, that the *greater Number* will be of his mind, and consequently, that for their own sakes they will *secure* him from any danger.

For these Reasons, where-ever in order to the making a Bargain, a Proposition is advanc'd to make a *new Law*, which is to tie up those who neither *can* nor *will* be bound by it, it may be a good *Test*, but it will never be a good *Equivalent*.

XXIII. In the last place, let it be examined how far a *Promise* ought to be taken for a *Security* in a Bargain.

There is a great variety of Methods for the *Security* of those that deal, according to their *Dispositions* and *Interests*; some are *binding*, others *inducing* circumstances, and are to be so distinguished.

First, *Ready Payment* is without exception, so of that there can be no dispute; in default of that, the *good Opinion* Men may have of one another, is a great ingredient to supply the want of *immediate* Performances. Where the Trust is grounded upon *Inclination* only, the Generosity is not always *return'd*; but where it springeth from a *long Experience* it is a better foundation, and yet that is not always *secure*. In ordinary dealing, one *Promise* may be an *Equivalent* to another, but it is not so for a thing *actually* granted or conveyed; especially if the thing required in exchange for it, is of great *value*, either in *it self* or in its *consequences*. A *bare Promise* as a *single Security* in such a case is not an *equal* proposal; if it is offered by way of *addition*, it generally giveth cause to doubt the Title is *crazy*, where so *slender* a thing is brought in to be a *supplement*.

XXIV. The *Earnest* of making good a *Promise*, must be such a behaviour *preceding* as may encourage the party to whom it is made to depend upon it: Where instead of that, there hath been *want of Kindness*, and which is worse,

an *Invasion of Right*, a *Promise* hath no *persuading* force; and till the *Objection* to such a *Proceeding* is *forgotten* (which can only be the work of time) and the skin is a little grown over the tender part, the wound must not be touch'd. There must be some *Intermission* at least to abate the smart of *unkind usage*, or else a *Promise* in the eye of the party injur'd is so far from *strengthening* a *Security*, that it *raiseth* more doubts, and giveth more justifiable cause to *suspect* it.

A *Word* is not like a *Bone*, that being broken and well set again, is said to be sometimes stronger in that very part: It is far from being so in a *Word* given and *not made good*. Every single Act either *weakeneth* or *improveth* our *Credit* with other men; and as an habit of being *just* to our *Word* will *confirm*, so an habit of too freely *dispensing* with it must necessarily *destroy* it. A *Promise* hath its effect to persuade a man to lay some weight upon it, where the *Promiser* hath not only the *power*, but may reasonably be supposed to have the *will* of performing it; and further, that there be no *visible Interest* of the party promising to excuse himself from it, or to evade it.

All Obligations are *comparative*, and where they seem to be opposite, or between the greater and the lesser, which of them ought to have precedence in all respects every man is apt to be his own *Judge*.

XXV. If it should fall out that the *Promiser* with full *intent* at the *time* to perform, might by the interposition of *new Arguments*, or *differing Advice* think himself oblig'd to turn the matter of *Conscience* on the *other side*, and should look upon it to be much a *greater* fault to keep his word than to *break* it; such a *Belief* will *untie* the *strictest Promise* that can be made, and though the Party thus absolving himself should do it *without* the mixture or temptation of *private Interest*, being moved to it merely by his *Conscience*, as then informed; yet how far soever that might diminish the *Fault* in him, it would in no degree lessen the *inconveniences* to the party who is *disappointed*, by the breach of an engagement upon which he relied.

XXVI. A *Promise* is to be understood in the plain and *natural* sense of the words, and to be sure not in his who *made* it, if it was given as part of a Bargain. That would be like giving a Man power to *raise* the *value* of his Money in the payment of his *Debt*, by which, though he paid but half or less, he might pretend according to the letter to have made good the contract. The

The power of interpreting a Promise intirely taketh away the virtue of it. A Merchant who should once assume that privilege, would save himself the trouble of making any more Bargains.

It is still worse if this Jurisdiction over a Man's Promise, should be lodg'd in hands that have Power to support such an extraordinary Claim; and if in other Cases, forbearing to deal upon those terms is *advisable*, in this it becometh absolutely necessary.

XXVII. There must in all respects be a full liberty to *claim* a Promise, to make it reasonable to *take* it in any part of payment; else it would be like agreeing for a *Rent*, and at the same time making it *Criminal* to demand it.

A Superiority of Dignity or Power in the Party promising, maketh it a more tender thing for the other party to treat upon that security. The first maketh it a *nice* thing to *claim*, the latter maketh it a *difficult* thing to *obtain*.

In some cases, a Promise is in the nature of a *Covenant*, and then between equal parties the breach of it will bear a *Suit*; but where the *greatness* of the Promiser is very much raised above the Level of *equality*, there is no Forfeiture to be taken. It is so far from the party grieved his being able to *sue* or *recover Damages*, that he will not be allow'd to *explain* or *expostulate*, and instead of his being *relieved* against the breach of Promise, he will run the hazard of being *punished* for breach of Good Manners. Such a difficulty is putting all or part of the Payment in the Fire, where Men must burn their Fingers before they can come at it.

That cannot properly be called *good payment*, which the party to whom it is due, may not receive with *ease* and *safety*. It was a King's Brother of England who refused to lend the Pope money, for this reason, *That he would never take the Bond of one, upon whom he could not distrust*.

The Argument is still stronger against the Validity of a Promise, when the Contract is made between a *Prince* and a *Subject*. The very offering a King's Word in Mortgage, is rather a *threatning* in case of Refusal, than an *inducing* Argument to accept it; it is *unfair* at first, and by that giveth greater cause to be cautious, especially if a thing of that *value* and *dignity* as a King's Word ought to be, should be put into the hands of *State-brokers* to strike up a Bargain with it.

XXVIII. When God Almighty maketh Covenants with Mankind, His Promise is a sufficient Security, notwithstanding his Superiority and his

Power; because first, he can neither *err* nor do *injustice*. It is the *only* Exception to his Omnipotence, that by the Perfection of his *being* he is incapacitated to do *wrong*. Secondly, at the *instant* of His Promise, by the extent of his Foresight, which cannot fail, there is no room left for the possibility of any thing to *intervene*, which might *change* his mind. Lastly, he is above the receiving either *Benefit* or *Inconvenience*, and therefore can have no *Interest* or *Temptation* to vary from his Word, when once he hath granted it.

Now though Princes are God's Vicegerents, yet their Commission not being so *large*, as that these Qualifications are devolved to them, it is quite another case, and since the offering a Security implyeth it to be *examined* by the party to whom it is proposed, it must not be taken ill that Objections are made to it, even though the Prince himself should be the *immediate Proposer*.

Let a familiar Case be put; Suppose a Prince, tempted by a Passion too strong for him to resist, should descend, so as to promise Marriage to one of his Subjects, and as Men are naturally in great haste upon such occasions, should press to take possession before the *necessary Forms* could be complied with; would the poor Ladies *Scruples* be called *Criminal* for not taking the Security of the Royal Word? Or would her *Allegiance* be tainted by her *resisting* the sacred Person of her Sovereign, because he was impatient of delay? *Courtesie* in this case might persuade her to *accept* it, if she was so disposed, but sure the *just exercise* of Power can never *claim* it.

XXIX. There is one Case where it is more particularly a *Duty* to use *very great occasion* in accepting the security of a Promise, and that is, when Men are *authorized* and *trusted* by others to act for them. This putteth them under much greater restraints, than those who are at liberty to treat for themselves. It is *lawful*, though it is not *prudent* for any man to make an *ill Bargain* for himself, but it is neither the one nor the other, where the party contracting treateth on behalf of another, by whom he is *intrusted*. Men who will unwarily accept an *ill security*, if it is for themselves, forfeit their own discretion, and undergo the Penalty, but they are not responsible to any body else. They lie under the Mortification and the loss of committing the error, by which though they may expose their *Judgment* to some *cenfure*, yet their *Morality* suffers no *reproach* by it.

But those who are *deputed* by others to treat for them,

them, upon terms of *best advantage*, though the *Confidence* placed in them should prevent the putting any *limits* to their Power in their Commission, yet the *Condition implied* if not expressed, is, that the Persons so trusted shall neither make an *ill Bargain*, nor accept a *slight Security*.

The Obligation is yet *more binding* when the Trust is of a *Publick Nature*. The aggravation of disappointing a *Body of Men* that *rely* upon them, carrieth the Fault as *high* as it can go, and perhaps no Crime of any kind can outdo such a *deliberate breach of Trust*, or would more justly make Men *forfeit* the protection of *humane Society*.

XXX. I will add one thing more upon this Head, which is, that it is not *always a true Proposition*, that 'tis safe to rely upon a Promise, if at the *time of making it*, it is the *Interest of the Promiser* to make it good. This, though many times it is a good *Inducement*, yet it hath these Exceptions to it. First, if the Proposer hath at other times gone plainly *against his Visible Interest*, the Argument will turn the other way, and his *former Mistakes* are so many *Warnings* to others, not to come within the danger any more: let the *Inducements* to those Mistakes be never so *great and generous*, that does not alter the Nature, they are *Mistakes* still.

*Interest* is an *uncertain* thing, It goeth and cometh, and varieth according to times and circumstances; as good build upon a *Quicksand*, as upon a presumption that *Interest* shall not alter. Where are the Men so distinguished from the rest of Mankind, that it is impossible for them to *mi-*

*stake their Interest*? Who are they that have such an exemption from human Frailty, as that it can never happen to them not to *see their Interest* for want of Understanding; or not to *leap over it* by excess of Zeal.

Above all, *Princes* are most liable to Mistake; not out of any *defect* in their Nature, which might put them under such an unfortunate distinction; quite contrary, the blood they derive from wise and great Ancestors, does rather distinguish them on the better side; besides that their great Character and Office of Governing giveth a noble Exercise to their Reason, which can very hardly fail to raise and improve it. But there is one Circumstance annexed to their Glorious Calling, which in this respect is sufficient to outweigh all those advantages; it is that *Mankind*, divided in most things else, agree in this, to *conspire* in their endeavours to *deceive* and *mislead* them; which maketh it above the power of human understanding, to be so exactly guarded as never to admit a surprize, and the highest applause that could ever yet be given to the greatest Men that ever wore a Crown, is that they *were no oftner deceived*.

Thus I have ventur'd to lay down my thoughts of the Nature of a *Bargain*, and the *due Circumstances* belonging to an *Equivalent*, and will now conclude with this short word "Where *Distrusting* may be the cause of provoking *Anger*, and *Trusting* may be the cause of bringing *Ruin*, the *Choice* is too easie to need the being explained.

## A LETTER from a Clergy-man in the City, To his Friend in the Country.

### Containing his REASONS for not Reading the DECLARATION.

S I R;

I Do not wonder at your concern for finding an Order of Council published in the *Gazette* for Reading the King's Declaration for Liberty of Conscience in all Churches and Chappels in this Kingdom. You desire to know my Thoughts about it, and I shall freely tell them; for this is not a time to be reserved.

Our Enemies who have given our Gracious King this Counsel against us, have taken the most effectual way not only to ruin us, but to make us appear the Instruments of our own Ruine, that what course soever we take, we shall be undone; and one side or other will conclude that we have undone our selves, and fall like Fools.

To



To lose our Livings and Preferments, may our Liberties and Lives in a plain and direct opposition to Popery, as suppose for refusing to read Mass in our Churches; or to swear to the Trent-Creed, is an honourable way of falling, and has the divine Comforts of suffering for Christ and his Religion; and I hope there is none of us but can cheerfully submit to the Will of God in it. But this is not our present Case; to read the Declaration, is not to read the Mass, nor to profess the *Romish* Faith; and therefore some will judge that there is no hurt in reading it, and that to suffer for such a Refusal, is not to fall like Confessors, but to suffer as Criminals for disobeying the Lawful Commands of our Prince: but yet we judge, and we have the concurring Opinions of all the Nobility and Gentry with us, who have already suffered in this Cause; that to take away the Test and Penal Laws at this time; is but one step from the introducing of Popery; and therefore to read such a Declaration in our Churches, though it do not immediately bring Popery in, yet it sets open our Church doors for it, and then it will take its own time to enter: So that should we comply with this Order, all good Protestants would despise and hate us, and then we may be easily crushed, and shall soon fall with great dishonour, and without any Pity. This is the difficulty of our Case; we shall be censured on both sides, but with this difference: We shall fall a little sooner by not reading the Declaration, if our Gracious Prince resent this as an act of an Obstinate and peevish or factious Disobedience, as our Enemies will be sure to represent it to him; We shall as certainly fall, and not long after, if we do read it, and then we shall fall unpitied and despised, and it may be with the Curses of the Nation, whom we have ruined by our Compliance; and this is the way never to rise more: And may I suffer all that can be suffered in this World, rather than contribute to the final Ruine of the best Church in the World.

Let us then examine this matter impartially, as those who have no mind either to ruine themselves, or to ruine the Church: I suppose no Minister of the Church of *England* can give his consent to the Declaration. Let us then consider whether reading the Declaration in our Churches

be not an interpretative Consent, and will not with great reason be interpreted to be so: For,

*First*, By our Law all Ministerial Officers are accountable for their Actions: The Authority of Superiours, though of the King himself, cannot justifie inferiour Officers, much less the Ministers of State, if they should execute any illegal Commands; which shews, that our Law does not look upon the Ministers of Church or State to be meer Machines and Tools to be managed wholly by the Will of Superiours, without exercising any Act of judgment or Reason themselves; for then inferiour Ministers were no more punishable, than the Horses are which draw an innocent Man to *Tyburn*; and if inferiour Ministers are punishable, then our Laws suppose that what we do in obedience to Superiours, we make our own Act by doing it, and I suppose that signifies our Consent, in the eye of the Law, to what we do. It is a Maxime in our Law, *That the King can do no wrong*; and therefore if any wrong be done, the Crime and Guilt is the Minister's who does it: for the Laws are the King's publick Will, and therefore he is never supposed to command any thing contrary to Law; nor is any Minister, who does an illegal Action, allowed to pretend the King's Command and Authority for it: and yet this is the only Reason I know, why we must not obey a Prince against the Laws of the Land, or the Laws of God, because what we do, let the Authority be what it will that commands it, becomes our own Act, and we are responsible for it; and then as I observed before, it must imply our own consent.

*Secondly*, The Ministers of Religion have a greater tye and obligation than this, because they have the care and conduct of Mens Souls, and therefore are bound to take care that what they publish in their Churches, be neither contrary to the Laws of the Land, nor to the good of the Church: For the Ministers of Religion are not look'd upon as common Cryers, but what they Read, they are supposed to recommend too, tho' they do no more than Read it; and therefore to read any thing in the Church, which I do not consent to and approve, nay which I think prejudicial to Religion, and the

the Church of God, as well as contrary to the Laws of the Land, is to Mis-guide my People and to Dissemble with God and Men; because it is presum'd, that I neither do, nor ought to read any thing in the Church, which I do not in some degree approve. Indeed, let mens private opinions be what they will, in the nature of the thing, he that Reads such a Declaration to his People, teaches them by it: For is not Reading Teaching? Suppose then I do not consent to what I read, yet I consent to teach my People what I read: and herein is the Evil of it; for it may be it were no fault to consent to the Declaration, but if I consent to teach my People what I do not consent to my self, I am sure that is a great one: And he who can distinguish between consenting to read the Declaration, and consenting to teach the People by the Declaration, when reading the Declaration is teaching it, has a very subtle distinguishing-Conscience. Now if consenting to read the Declaration be a consent to teach it my People, then the natural Interpretation of Reading the Declaration is, That he who Reads it, in such a solemn teaching-manner, Approves it. If this be not so, I desire to know, why I may not read an Homily for Transubstantiation, or Invocation of Saints, or the Worship of Images, if the King sends me such good Catholick Homilies, and commands me to read them? And thus we may instruct our People in all the points of Popery, and recommend it to them with all the Sophistry and artificial Insinuations, in obedience to the King, with a very good Conscience, because without our consent: If it be said, this would be a contradiction to the Doctrine of our Church by Law Established; so I take the Declaration to be: And if we may read the Declaration contrary to Law, because it does not imply our consent to it; so we may Popish Homilies, for the bare reading them will not imply our consent, no more than the reading the Declaration does: But whether I consent to the Doctrine or no, it is certain I consent to teach my People this Doctrine; and it is to be considered, whether an honest man can do this.

Thirdly, I suppose no man will doubt, but the King intends, that our Reading the Declaration should signifie to the Nation, our Consent and Approbation of it; for the Declaration does not want Publishing, for it is sufficiently known already: but our Reading it in our Churches must serve instead of Addresses of Thanks, which the Clergy generally refused, though it was only to Thank the King for His Gracious Promises renewed to the Church of *England*, in His Declaration, which was much more Innocent, than to publish the Declaration it self in our Churches: This would persuade one, that the King thinks our reading the Declaration, to signifie our Consent, and that the People will think it to be so. And he that can satisfie his Conscience, to do an action without consent, which the Nature of the Thing, the Design, and intention of the Command, and the Sense of the People expound to be a Consent, may, I think, as well satisfie himself with Equivocations and mental Reservations.

There are two things to be answered to this, which must be considered.

1. That the People understand our Minds, and see that this is matter of Force upon us, and meer Obedience to the King. To which I answer,

1. Possibly the People do understand that the matter of the Declaration is against our Principles: But is this any excuse, that we read that, and by reading recommend that to them, which is against our own Consciences and Judgments? Reading the Declaration would be no Fault at all, but our Duty, when the King commands it, did we approve of the matter of it; but to consent to teach our People such Doctrines as we think contrary to the Laws of God, or the Laws of the Land, does not lessen but aggravate the Fault, and People must be very good natured to think this an Excuse.

2. It is not likely that all the people will be of a mind in this matter, some may excuse it, others, and those it may be the most, the best, and the wisest Men, will condemn us for it, and then how shall we justify our selves against their Censures? when the World will be divided in their Opinions, the plain way is certainly the best, to do what we can justify our selves, and then let men judge as they please.

please. No men in *England* will be pleased with our Reading the Declaration, but those who hope to make great advantage of it against us, and against our Church and Religion: others will severely condemn us for it, and censure us as false to our Religion, and as Betrayers both of Church and State: and besides that, it does not become a Minister of Religion, to do any thing, which in the opinion of the most charitable men can only be excused; for what needs an excuse, is either a fault or looks very like one; besides this, I say, I will not trust mens Charity; those who have suffered themselves in this Cause, will not excuse us for fear of suffering; those who are inclined to excuse us now, will not do so when they consider the thing better, and come to feel the ill consequences of it: when our Enemies open their eyes, and tell them what our Reading the Declaration signified, which they will then tell us we ought to have seen before, though they were not bound to see it; for we are to guide and instruct them, not they us.

II. Others therefore think, that when we read the Declaration, we should publicly profess, that it is not our own Judgment, but that we only Read it in obedience to the King, and then our Reading it cannot imply our Consent to it: Now this is only *Protestatio contra factum*, which all people will laugh at, and scorn us for: for such a solemn Reading it in the time of Divine Service, when all men ought to be most Grave and Serious, and far from dissembling with God or Men, does in the nature of the thing imply our Approbation; and should we declare the contrary, when we read it, what shall we say to those who ask us, why then do you read it? But let those who have a mind try this way, which, for my part, I take to be a greater and more unjustifiable provocation of the King, than not to read it; and, I suppose those who do not read it, will be thought plainer and honest men, and will escape as well as those who read it and protest against it: and yet nothing less than an express Protestation against it will save this matter; for only to say, they read it meerly in obedience to the King, does not express their dissent: it signifies indeed, that they would not have read it, if the King had not commanded it; but these words do not signify, that they disapprove of the Declaration, when their

reading it, though only in Obedience to the King, signifies their approbation of it as much as actions can signify a consent: let us call to mind how it fared with those in King *Charles* the First's Reign, who read the *Book of Sports*, as it was called, and then preached against it.

To return then to our Argument; if reading the Declaration in our Churches be in the nature of the Action, in the intention of the Command, in the opinion of the People, an interpretative consent to it, I think myself bound in conscience not to read it, because I am bound in conscience not to approve it:

It is against the Constitution of the Church of *England*, which is Established by Law, and to which I have subscribed, and therefore am bound in Conscience to Teach nothing contrary to it, while this Obligation lasts.

It is to Teach an unlimited and universal Toleration, which the Parliament in 72. Declared illegal, and which has been condemned by the Christian Church in all Ages:

It is to teach my People, that they need never come to Church more, but have my free leave, as they have the King's, to go to a Conventicle, or to Mass:

It is to teach the dispensing Power, which alters, what has been formerly thought, the whole Constitution of this Church and Kingdom: which we dare not do, till we have the Authority of Parliament for it.

It is to recommend to our People, the choice of such persons to sit in Parliament, as shall take away the *Test* and *Penal-Laws*, which most of the Nobility and Gentry of the Nation have declared their judgment against:

It is to condemn all those great and worthy Patriots of their Country, who forfeited the dearest thing in the World to them, next a good Conscience, *viz.* The Favour of their Prince, and a great many honourable and profitable Employments with it, rather than consent to that Proposal of taking away the *Test* and *Penal Laws*, which they apprehend destructive to the *Church of England* and the *Protestant Religion*; and he who can in Conscience do all this, I think need scruple nothing.

For let us consider further, what the effects and consequences of our reading the Declaration are likely to be, and I think they are matter of Conscience too, when they are evident and apparent.

This will certainly render our Persons and Ministry infinitely contemptible, which is against that Apostolick Canon, *Let no man despise thee*, Titus 2. 15. That is, so to behave himself in his Ministerial Office, as not to fall under contempt; and therefore this obliges the Conscience, not to make our selves ridiculous, nor to render our Ministry, our Counsels, Exhortations, Preaching, Writing, of no effect, which is a thousand times worse than being silenced: Our Sufferings will Preach more effectually to the People, when we cannot speak to them: but he who for Fear or Cowardise, or the Love of this World, betrays his Church and Religion by undue compliances, and will certainly be thought to do so, may continue to Preach, but to no purpose; and when we have rendered our selves ridiculous and contemptible, we shall then quickly fall, and fall unpitied.

There is nothing will so effectually tend to the final ruine of the Church of *England*, because our Reading the Declaration will discourage, or provoke, or misguide, all the Friends the Church of *England* has: can we blame any man for not preserving the Laws and the Religion of our Church and Nation, when we our selves will venture nothing for it? can we blame any man for consenting to Repeal the *Test and Penal Laws*, when we recommend it to them by Reading the Declaration? Have we not Reason to expect, that the Nobility and Gentry, who have already suffered in this Cause, when they hear themselves condemned for it in all the Churches of *England*, will think it time to mend such a fault, and reconcile themselves to their Prince? and if our Church fall this way, is there any any reason to expect that it should ever rise again? These Consequences are almost as evident as Demonstrations, and let it be what it will in it self, which I foresee will destroy the *Church of England* and the *Protestant Religion and Interest*, I think I ought to make as much conscience of doing it, as of doing the most immoral Action in Nature.

To say, that these mischievous consequences are not absolutely necessary, and therefore do not affect the Conscience, because we are not certain they will follow, is a very mean Objection; Moral Actions indeed have not such necessary consequences, as natural causes have necessary effects, because no moral causes act necessarily: Reading the Declaration, will not as necessarily destroy the Church of *England*, as fire burns Wood, but if the consequence be plain and evident, the most likely thing that can happen, if it be unreasonable to expect any other, if it be what is plainly intended and designed; either I must never have any regard to Moral Consequences of my Actions, or if ever they are to be considered, they are in this case.

Why are the Nobility and Gentry so extremely averse to the Repeal of the Test and Penal Laws? why do they forfeit the King's Favour, and their Honourable Stations, rather than comply with it? if you say that this tends to destroy the Church of *England* and the Protestant Religion, I ask whether this be the necessary consequence of it? whether the King cannot keep his promise to the Church of *England* if the Test and Penal Laws be Repealed? We cannot say, but this may be; and yet the Nation does not think fit to try it; and we commend those great men who deny it; and if the same questions were put to us, we think we ought in Conscience to deny them our selves: and are there not as high probabilities, that our Reading the Declaration will promote the Repeal of the Test and Penal Laws, as that such a Repeal will ruine our Constitution, and bring in Popery upon us? Is it not as probable, that such a compliance in us, will disoblige all the Nobility and Gentry, who have hitherto been firm to us, as that when the power of the Nation is put into Popish Hands, by the Repeal of such Tests and Laws, the Priests and Jesuits may find some *salvo* for the King's Conscience, and persuade him to forget his Promise to the Church of *England*? and if the probable ill consequences of Repealing the Test and Penal Laws, be a good reason not to comply with it, I cannot see but that the as probable ill consequences of Reading the Declaration, is as good a reason, not to read it.

The most material Objection is, that the Dissenters, whom we ought not to provoke, will

will expound our not Reading it, to be the effect of a Persecuting Spirit: Now I wonder men should lay any weight on this, who will not allow the most probable consequences of our Actions, to have any influence upon Conscience: for if we must compare consequences, to disoblige all the Nobility and Gentry by Reading it, is likely to be much more fatal, than to anger the Dissenters: and it is more likely, and there is much more reason for it, that one should be offended than the other: For the Dissenters who are wise and considering, are sensible of the snare themselves, and though they desire Ease and Liberty, they are not willing to have it with such apparent hazard of Church and State: I am sure that tho' we were never so desirous that they might have their Liberty, (and when there is opportunity of shewing our inclinations without danger, they may find that we are not such Persecutors as we are represented) yet we cannot consent that they should have it this way, which they will find the dearest Liberty that ever was granted.

This, Sir, is our Case in short, the Difficulties are great on both sides, and therefore now if ever, we ought to besiege Heaven with our Prayers for Wisdom, and Counsel, and Courage; that God would protect his Church and Reformed Christianity, against all the devices of their Enemies: Which is the daily and hearty Prayer of,

S I R,

May 22. 1688.

Your Friend and Brother.

## POSTSCRIPT.

I Have just now seen H. Care's Paper called, The Publick Occurrences, which came out to day, and cannot but set you right as to his News about the Reading of the Declaration on Sunday: He tells you, That several Divines of the Church of England, in and about this City, eminent for their Piety and Moderation, did yesterday Read his Majesties late Declaration in their Churches, according to the Order in that behalf; but some (to the great surprize of their Parishioners) were pleased to decline it. You in the Country are from this Account to believe, that it was Read here by the generality of the Clergie, and by the eminent Men among them: But I can, and do assure you, that this is one of the most impudent Lyes that ever was printed: For as to this City which hath above a Hundred Parishes in it, it was Read only in Four or Five Churches, all the rest, and best of the Clergy refusing it every where. I will spare their Names who read it; but should I mention them, it would make you, who knows this City, a little heartily to deride H. C's Account of them. And for the Surprize he talks of, the contrary of it is so true, that in Woodstreet, where it was Read by one Dr. M. the People generally went out of the Church. This I tell you, that you may be provided for the future against such an impudent Lyar, who, for Bread, can vouch and put about the Nation, the falsest of things.

I am Yours.

## An ANSWER to the City Minister's LETTER, from his COUNTRY FRIEND.

S I R,

IT is not for me now to acknowledge my private Debt to you for the favour of your Letter, since the publick is as much concern'd in it as I: and if I may judge of all by the compass of my Neighbourhood and Acquaintance, I may assure you, they are not insensible of your Obligation, though they are ignorant of the Author.

The Country as far as my Intelligence reaches, has followed the Example of the City, and

refused to read the Declaration of Indulgence according to a certain Order said to be the Kings, which we in the Country can scarce believe to be His. For it has neither been signified to the Ordinaries according to the usual manner, nor could those that dispersed it give any Account whence it came to them. I have heard indeed that an Act of Council concerning it has been published in the Gazette, which I never saw, and if I had I should scarce have

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thought Authentick: For I alwaies took that Paper as for its Authority, to have been all of a piece, and that we were no more bound to take notice of any Order published there under any penalty, than we are to believe all the News from *Poland* or *Constantinople*. Nay though this Order had come to us in due form, yet had we had great reason to suspect something of surreption and surprize upon his Majesty in this matter, and that it could not proceed from his Majesty's free and full consent; for we cannot yet forget his repeated professions of kindness to us, and of satisfaction in our Principles and Duty, and having done nothing since which might forfeit his good Opinion, we are unwilling to believe that it is His Majesties own mind and pleasure to load us with such an Order, as we cannot execute with any congruity, safety or good conscience. For

I. As to his Majesties Declararion, We of all his Majesties Subjects are the least concern'd in it; and with all duty be it spoken, we cannot see, that our legal Establishment receives any Addition by this Declaration. For there are yet, thanks be to God, no Penal Laws to which our Congregations are obnoxious, and therefore we do not stand in need of any Toleration: Yet it is upon us onely that the Reading of it is imposed. An Act which cannot well be construed otherwise than as a soliciting and tempting our own people to forsake our Comm'nion. If this Declaration must needs be read in any Religious Asssemblies, in reason surely it should be in those, that wholly owe their subsistence to it. It would better have become the *Roman* than the *Protestant* Chappels. But in the *Roman* Church *Indulgence* hath another signification; and belongs to those only that frequent their Churches, but not to such as leave them: for with them this is the only sin that is not capable of Indulgence. But the Priests desire to be excus'd, lest while they proclaim Toleration to others they bring an Interdict upon themselves. Or why I pray, was not Father *Pen* Ordered to publish it in his Meetings? Or the worthy Mr. *Lob*, the reputed Father of this Project; why had not he the benefit of his own Invention, and a Patent for being the sole Publisher of it within his own Pound? Or why was not my *Lord Mayor's* private and elect Congregation thought worthy of it to great a grace? Surely it is not to draw upon us the envy of the Dissenters, that the honour of publishing this Declaration is impos'd upon us alone, when it belongs to all other Comm'nions in the Kingdom except our own: and if we refuse it, I hope it will be imputed to our Mo-

desty, for we are not ambitious of being impertinent or busie-bodies in other mens matters.

A certain person much greater than he deserves, but perhaps not so high, is said to have used the Words of *Rabshakeh* upon this occasion, *That the Church of England Clergy should eat their own Dung*. Isa. 36. 12. This sentence might better have become a Messenger of the K. of *Assyria*, than a pretended Counsellour of our own Prince, though some make a question to which King he belongs: but God be thanked, we are not yet so straitly besieg'd as to be reduc'd to that extremity, and though by the permission of God, We should be reduc'd to so miserable a condition, We should I hope, by the grace of God, be content to endure that and worse extremities if possible, rather than Betray or Surrender the City of God. But before that comes, it is possible that the Throat that belch'd out this Nasty Insolence, may be stopp'd with something which it cannot swallow.

II. Besides there are some Passages in the Declaration, which in Conscience we cannot Read to our People, though it be in the King's Name; for among others we are to Read these Words: *We cannot but heartily wish as will easily be believed, that all the People of our Dominions were Members of the Catholick Church*. Our People know too well the *English* of this, and could not but be strangely surpriz'd to hear us tell them, that it would be an acceptable thing to the King, that they should leave the Truth and our Communion, and turn Papists. The Will of a King when solemnly Declared, is no light insignificant thing, but has real influence and effect upon the minds of Men. It was but a Will, of *Henry* the Second that cut off *T. Becket* then Archbishop of *Canterbury*. Councils and Courts of Justice too often bend to a King's Wishes, though against their own Inclinations, as well as against their Rule: And can we imagine that they can have no force at all upon the common people; therefore we cannot in Conscience pronounce these words in the Ears of the People whose Souls are committed to our Charge. For we should hereby lay a snare before them, and become their Tempters instead of being their Instructors; and in very fair and reasonable construction we shall be understood to sollicite them to Apostacy, to leave the Truth of the Gospel, for Fables, and the mistakes of men; a reasonable and decent Worship, for Superstition and Idolatry; a true Christian Liberty, for the most intolerable Bondage both of soul and body. If any will forsake our Doctrine and Fellowship, which yet is not ours but Christs, at their own peril be it: But as for us, We are resolv'd by the grace of God,

God, to lay no stumbling block in their way, nor to be accessory to their ruine, that we may be able to declare our integrity with *S. Paul*, That *we are pure from the blood of all men.*

III. In the next place, We are to declare in the King's name, *That from henceforth the Execution of all, and all manner of Penal Laws, in matters Ecclesiastical, for not coming to Church, or not receiving the Sacrament, or for any other Nonconformity to the Religion established, or for, or by reason of the exercise of Religion, in any manner whatsoever, be immediately Suspended, and the farther Execution of the said Penal Laws, and every of them is hereby Suspended.* What! *All, and all manner of Laws in matters Ecclesiastical?* What the Laws against Fornication, Adultery, Incest? For these are in Ecclesiastical matters. What! All Laws against Blasphemy, Profaneness, open Derision of Christian Religion? Yet these crimes are punishable by no other Laws here, than such as have been made in favour of the Established Religion: How shall the Lord's day be observ'd? What shall hinder covetous men to Plow and Cart, and follow their several Trades upon that day? since all the Laws, that secure this observance, and outward countenance of respect to the Christian Religion, are by this general expression laid aside: Besides these words, *for not coming to Church, or not receiving the Sacrament, or for any other Nonconformity to the Religion Established,* cannot in Conscience be read by us in our Churches, because they may be a temptation to young unguided people to neglect all manner of Religious Worship, and give them occasion of depriving themselves of such opportunities of grace and salvation, as these Penal Laws did often oblige them to use. For being discharg'd attendance on our Service, they are left at liberty to be of any Religion or none at all: Nay Christian Religion is by these general terms left at discretion, as well as the Church of *England*. For men may forsake us to become Jews or Mahometans, or Pagan Idolaters, as well as to be Papists or Dissenters for any care taken in this Declaration to prevent it. And even of such as pretend to be Christians, there either are or may be such Blasphemous Sects, so dishonourable to our Common Lord and Master, as are incapable of all publick encouragement and allowance; for that would involve the Government in the Imputation of those Blasphemies, and the whole Nation in that curse and vengeance of God, which such provocations may extort. Wherefore it is not out of any unreasonable opinion of our selves, nor disaffection to Protestant Dissenters that we refuse to publish this Indulgence, but out of a tender care of the Souls

committed to us, especially those of the weaker sort, to whom we dare not propose an Invitation to Popery, and much less any thing that may give countenance or encouragement to Irreligion. It is said indeed, that we are not required to approve to and read it: To this Sir, you have very well answer'd, that Reading was Teaching it, or if it be not so absolutely in the nature of the thing; yet in common Construction, I am afraid it would have been so understood. But we do not stand in need of this Excuse, for if there be any passages in it, that are plain temptations to Popery or Licentiousness; it cannot consist with our duty either to God or the Church to read them before our People.

As for the Dispensing Power, and the Oaths and Tests required to qualify men for Offices Military and Civil, I must leave them to the Consideration of those who are nearer concern'd, and therefore reasonably presum'd to understand them better. Nor do I envy his Majesty the use of his Popish Subjects, though I do not know what service they may be capable of doing more than other men. This Nation has for some time made hard shift to subsist without much of their Aid, and against the wills of several of them: but now they are become the only necessary men, and seem to want nothing but Number to fill all places Military and Civil in the Kingdom; in the mean time the Odioufness of their Persons, and the Insolence of their Behaviour with their way of menacing strange things, makes some abatement of the merit of their service.

Lastly, The respect which we have for His Majesty's Service, will not permit us to Read the Appendix to the Declaration: Where the flower of the Nobility and Gentry of this Kingdom are something hardly reflected on, as Persons *that will not contribute to the peace and honour of the Nation*; Because they would consent to the taking away the Laws against Papists, that they be put into a Condition to give us Laws. The Persons here reflected on, We know to be the chief for Ability and Interest, and Inclination to serve the King, and therefore cannot do His Majesty that disservice as to be Publishers of their disgrace, & make our selves the Instruments of alienating from his Majesty the Affections of his best Subjects. Nay we find in our selves a strange difficulty to believe that this could come from His Majesty, who has experienc'd their faithfulness upon so many and pressing Occasions. This could not well proceed from any but a Stranger to those Honourable Persons, and the Nation, and a greater Stranger to shame and good manners; and what have we to do to Publish the Venome and Virulency of a Jesuit.

A Letter to a Dissenter from his Friend at the HAGUE, concerning the Penal Laws and the Test; shewing that the Popular Plea for Liberty of Conscience is not concerned in that Question.

S I R,

I Suppose you are very busy about the Choice of *Parliament-men*, and all hands are at work to Elect such Members as may comply with the great Design to Repeal the Penal Laws and the Test. The pretence I confess is very plausible; for all men are fond of *Liberty of Conscience*, who dissent from the Established Religion; but you and I have liv'd long enough in the world to observe that the most pernicious Designs have been carried on under the most plausible Pretences; and that is Reason enough to enquire whether there be no danger of it now. I shall not say one word against *Liberty of Conscience*, nor for Penal Laws and Tests: Imagine the best things you possibly can of the one, and declame as much as you please against the other. For I do not see that either of them are concerned in the present Dispute; but only made use of to wheedle unthinking people, and to catch them with a very inviting Bait: and therefore before you engage too warmly in this Cause, I would offer some few things to your calm and deliberate Thoughts.

The great Pretence is *Liberty of Conscience*; and if this were the true state of the Case, the Dispute would be more doubtful and perplexed: for that is an Argument a man may talk of without end, and it is not to be expected that men who feel the want of Liberty, or taste the sweetness of it, should be perswaded by any Arguments to forgo it when it may be had. But now, if Liberty of Conscience may be had without the Repeal of the Test and Penal Laws; if it be apparent to men who will open their eyes, that the true spring of all this zeal for Repealing the Test and Penal Laws is not Liberty of Conscience; if there be great danger that by consenting to this Repeal, we shall forfeit both the Liberty of our Consciences and our Civil Liberties into the Bargain; then I presume you will readily grant that Liberty of Conscience, as good a thing as it is, is no Reason for such a Repeal.

I. As for the first, it is a very plain case; For you enjoy Liberty of Conscience now, and yet the Penal Laws and Test are not Repealed. What greater Liberty do you desire than you now have? What can the Repeal of the Penal Laws and

Test do for you which the King's Declaration hath not done? You have his repeated Promises, his avow'd Principle that Conscience is not to be forced; and that no man ought to suffer merely for his Religion; though the Penal Laws are not repealed, yet they are suspended; they are not executed either against Papists or Dissenters, and you have the security of the King's Declaration for it.

If you say, that the King can quickly recall his Declaration, and reinforce the Penal Laws if he find you obstinate against Repealing them; I Answer first, It is very dishonourable to imagine such a thing of the King, after such a Declaration as this, which he hath repeated the second time with all possible assurances of his Resolutions to stand to it: and that not as a meer Act of grace and favour, but as his own avowed Principle, that Conscience ought not to be forced. If you Reply that the King may very Honourably recall this Liberty of Conscience, when you will not have it, but resolve to keep these persecuting Laws; I answer, Not, if it be against the Principles of his own Conscience to Persecute. Meer favours may be withdrawn when they are slighted; but no man will violate his own Conscience, to be revenged of such ingratitude. And yet this is not the case: You do not slight the grace and favour of his Declaration, but gladly accept the Liberty he gives; and all the World sees that You use it too: but instead of Repealing these Penal Laws, You chuse to rely upon his Royal Word and Dispensing Power; which argues so great a Confidence in him, and attributes such Authority to him, that it cannot possibly displease him. This is a plain sign, that you think your selves secure in his Reign; and can you think the King will persecute you in his own Reign, because you are contented to trust his Successors too? which would be a very odd kind of passion for Liberty of Conscience.

To imagine the King should reinforce the Penal Laws upon your refusal to Repeal them, is to suspect that this great Zeal is not for Liberty of Conscience, but for the Repeal of the Penal Laws and Test; that is, that Liberty of Conscience is granted for the sake of Repealing the Penal Laws and Tests, not the Repeal of the Penal Laws and Tests, desired for the sake of Liberty of Conscience; and

and then who knows what will become of Liberty of Conscience, when the Penal Laws and Test are Repealed? If you suspect any such thing which never ought to be suspected of so just and indulgent a Prince, it is better to make the Experiment before, than after such a Repeal.

Suppose the King should withdraw his Declaration upon your refusal to comply, who would put the Laws in Execution against you? They must either be Dissenters, or Papists, or the Church of England: I presume you do not fear that you should execute the Laws against your selves; and as for Papists, it were worth trying whether they who are so obnoxious to the Laws themselves, would put them in Execution against Dissenters, especially after all their Clamors against them: and as for the Church of England, when they have been so reproached by Papists for Executing these Laws already, though more at the instance of the Court than from their own inclination, they will no longer be made the instruments of such Executions, only to serve the turn of them that will reproach them: So that if the Declaration were recalled, you have a moral certainty that the Penal Laws cannot be Executed in this Kings Reign, because there is no body to execute them.

As for the Test, you cannot pretend that Liberty of Conscience is concern'd in the Repeal of that. You may go to Conventicles, and the Papists may go to Mass without any disturbance, though the Test be never repealed: and therefore the only design of repealing that must be to give a legal Qualification to Papists, to possess all places of Honour, Profit and Trust in the Nation; that is, to put your Lives and Liberties into their hands; which I confess is a great Complement to a Roman Catholick Prince; but a Complement may sometimes be overstrained. And yet it is such a Complement as they need not. For we see they are qualified by the Dispensing Power, without the Repeal of the Test; which hath made me often wonder why they are so zealous to have it repealed. Do they still question the Kings Dispensing Power? And desire some better security? Let them say so then, and give up that point, and then we'll talk with them about repealing the Test: but there is no need of repealing this Law, since the King it seems hath power to dispense with it in his Reign; and they are very sanguine men, if they hope to have any occasion for it in another! And if after all their boasts of a Dispensing Power, the Law still keeps

them in awe, can it be the interest of Protestants to take off these restraints? Are they not insolent enough already, while these threatening Laws hang over their heads? Or do we hope that their modesty and good Nature will increase with their Power? For my part, I desire that all men whom I fear may lie under a legal incapacity: for though their Force and Power may be the same, yet there is some difference, in point of Authority and Self-defence.

II. There are many things which would make a wise man suspect that there is some further Design than Liberty of Conscience in all this Zeal for repealing the Penal Laws and Test. For it would be very surprising to find a Roman Catholick Prince whose Conscience is directed by a Jesuit, to be really zealous for Liberty of Conscience; to see so many Popish Priests employ'd in pleading for Liberty of Conscience, and declaiming against Sanguinary Laws, when all the World knows what Opinion the Church of Rome has about Liberty of Conscience, what great friends the Jesuits are to it; how they abhor persecuting men for their Religion: witness the mild and gentle usage of the French Protestants by a King whose Conscience is directed by a tender-hearted Jesuit. And if a Prince's zeal for his Religion be much greater than for Liberty of Conscience; it would make one suspect that his chief design is to serve his Religion by it; and this is no new invention, but as old as the days of the Apostate Julian, when the same method was taken to reinforce Paganism by Liberty of Conscience. This was the last effort of dying Paganism; may it be so of Popery too.

We know there was no talk of Liberty of Conscience, till the Nobility and Gentry of the Church of England refused to take off the Test: and then there was no other way left, but to buy off the Penal Laws and Test with Liberty of Conscience, which demonstrates that Liberty of Conscience is not the last End, but only a Means in order to some further End; and the Means is seldom valued when the End is obtained. Men who can offer so much violence to their own Nature and the Principles of their Religion, as to grant Liberty of Conscience which of all things they hate, to procure a Repeal of the Test and Penal Laws; when that is done, can easily find some occasion to pretend a forfeiture of this Liberty, and to save their Conscience and Honour together. Penal Laws, to keep men from damning themselves, will be thought more merciful than Liberty of Conscience; and the softness and tenderness of Nature,

ture, must give place to a *Bigottry* in Religion; and then we shall in *vain* wish for our *old Penal Laws* and *Test* again, when we feel the more terrible smart of *new ones*.

Though it be told us, that it hath *always* been his Majesties Persuasion that *Conscience ought not to be forced*, I think that is no *security*, because though this has always been his *Principle*, yet it hath not always *operated*. We know whose hand was most concern'd both in *making* and *executing* Penal Laws in the last Reign; and if our Dis-senters *suffer'd* so much *then*, as they *now complain* of, they know what they *may suffer* again, notwithstanding these *Principles* for Liberty of Conscience; for the *same Principles* obtain'd *then*, as do *now*. Upon the last withdrawing into *Scotland*, notwithstanding those *Principles* the poor *Scotch* felt the *severity* of those *Penal Laws* with a witness; and methinks it is not *safe* trusting to such *Principles* as so often act by way of *Antiparistasis*, and produce Effects quite *contrary* to their own *Natures*: and however the Church of *Rome* may indulge such *Principles* *now* they are *convenient* to serve a *present turn*, if the Scene ever alter, this *private Conscience* will be thought as great *Heretic* as a *private Judgment*, and whosoever *now* may own it must then be guided by the *publick Conscience* of the Church, as well as by their *Faith*.

There are so many surprising Circumstances in this whole matter, as cannot but amaze a thinking Man: that so fierce a Zeal should be now kindled for a Liberty of *Conscience*, that a Liberty of *Judgment* will not be allowed, but who ever will not concur in this Opinion, must undergo the high displeasure; whereas there can be no *Liberty of Conscience* without *Liberty of Judgment*: And to be mortally angry with every man who is not of *my Opinion*, is no good *Preface* to granting every Man a Liberty to *think* and *act*, as he pleases.

If a Potentate should be so Zealous for Liberty of Conscience, as to *change* all his old *Antipathies* and *Friendships*, to receive his *profess'd Enemies* and *Rebels* into his bosom, and *cast off* his *tryed* and *Experienced Friends*; that he should forget all injuries and all kindnesses together, this would be such an effect of a great passion for Liberty of Conscience as was never known before: and when Causes do not work naturally, we suspect some preternatural ingredients mixed with them.

That a Zeal *against* the *Test* and *Penal Laws*, should be made a *Test* to the whole Nation; and that not without severe Penalties too, *viz.* the forfeiture of our Princes favour, of all Places of

Trust and Honour, and incapacity to serve in Parliaments if they can prevent it, or to be Members of any little Corporation.

That for the sake of *Liberty of Conscience*, the whole Clergy must be forced to publish the Declaration, though they declare it to be *against* their *Consciences*: That the Archbishop and six of his Suffragans must be sent to the *Tower*, for *Petitioning* for their own *Liberty of Conscience*; and whither they must have gone next God knows, unless they had been rescu'd by an *Honest Jury*: That all those who did not read the Declaration are still threatned with *Suspensions*, and *Deprivations*: Archdeacons and Chancellors commanded to turn *Informers*, though almost all of them must inform *against themselves* for not reading, or not sending the Declaration: and all this while the Laws are on *their side*. It is like to be a very terrible *Liberty of Conscience*, when it is grown up into the Maturity and strength of a *Law*, which like another *Hercules* can strangle all Laws and Liberties in its Cradle. These things make me apt to suspect that the best way to preserve *Liberty of Conscience* is to *keep* the *Test* and *Penal Laws*.

III. For Thirdly. If there be any reason to suspect any *other design* than *Liberty of Conscience*, as suppose to promote *Popery*, and by degrees to make it the *Established Religion* of the Nation, (which certainly is the Design, unless you can imagine, that Priests and Jesuits, and one who hath given up his Understanding and Conscience to them, can ever be *without* this Design.) You will easily be convinced that there is *infinite hazard* in repealing the *Test* and the *Penal Laws*.

This sets Papists upon an *equal level* with Protestants, and then the *Favour* of the Prince will set them *above* them: and when the whole power of the Nation, and the whole *administration of Justice* is in Popish hands, there will need no *Penal Laws* to persecute Protestants. If you say this is done in a great many instances *now before* such a *Repeal*; I answer, then you may certainly guess what will be done when those incapacitating Laws are repealed: And yet the difference is very great; For while they are under such a *legal Incapacity*, the *distrust* of their power will make them more *modest*, which is the only thing that can plead *excuse* hereafter; but when they have *legal authority*, they will shew their Nature without *restraint*. Men who have any thing to lose will act *cautiously* in prospect of an *After-reckoning*, or while these legal incapacities continue will be *aid* to act; but



but when the Legal Authority and Power is in their hands, Protestant Subjects will quickly find what a *Popish liberty of Conscience* means.

While these Laws continue, some *professed* Protestant Subjects whose Consciences are govern'd by their *Interests* are afraid to *declare*; and by these means Popery wants hands and numbers to do its work: But when these Laws are removed, *hopes of preferment* will prevail on some, and *fear* on others; and when this frozen Adder begins to grow warm, and recover its *blood* and *spirits*, it will find its *sting* too.

This would certainly overthrow the Constitution of the *Church of England*, which is the most effectual way to let in *Popery*: For when all Incapacities are removed, Papists are as well qualified for *Church-Preferments* as Protestants, and it will be an easie matter to find pretences, to remove the best Men to make way for them.

We have four *Catholick Bishops* (as they vainly call themselves) already prepared to fill vacant Sees; and if such Men have the impudence to publish their *Pastoral Letter*, and make their *publick Visitations* while all the Laws against them are in *force*, judge what they will do when they are repealed. Thus our Parishes may be filled with *Roman Priests*, and they indeed are the fittest to serve under *Roman Bishops*. And if one *colledge* be already seized into Popish hands, and the Protestant possessors turned out of their *Freehold*; when those Laws are Repealed, we may quickly see more follow them; and judge whether this be not a fair and easie step to Popery.

Nay, I have heard some good Lawyers say, that when the *Penal Laws* are repealed, Popery is the *Established Religion* of the Nation: That when a *repealing Law* is repealed, the *repealed Law* revives: I am not so good a Lawyer as to judge of this, but I think it is worth your Considering.

But who knows, when all the Ecclesiastical Laws are Repealed, what the King's Supremacy and his Ecclesiastical Commission may do? There have been great and big words said of it of late; and I believe You had better keep your *Penal Laws*, than fall under the lash of a *Popish Supremacy*.

I know there hath been a great talk of an *Equivalent*, but I would gladly know what that *Equivalent* should be. Shall it incapacitate all Papists for any Office either in Church or State? That must not be, for fear of depriving the King of the *natural right* he has to the service of his Subjects; and then I am sure there can be no *Equivalent* for the repeal of the incapacitating Laws.

But you say there shall be a *New Charter* for the *Church of England*, the *Protestant Religion* and *Liberty of Conscience*. Now shall this be with a Penalty or *without* one? If *with* a penalty, then you do not *repeal*, but only *exchange* your Penal Laws; and if Penal Laws are not such Unchristian things, but they may be allowed, we cannot have *better* for the security of our Religion than we have; and therefore we had best *keep these*. Is there any other fault in our *Penal Laws*, (especially when they are *not executed*) but that they are too great a security to the *Church of England*, and the *Protestant Interest*? And if this be a reason for Protestants at *this time* to repeal them, I have done. But if this *new Establishment* be *without* a penalty, what is it good for?

When these Penal Laws are removed, Papists are qualified to sit in both Houses of Parliament; and who knows whether *Closetting* and *Reforming* of *Corporations*, and such other Arts may not quickly make a Popish Parliament? And then Good Night to your *New Establishment* and *Liberty of Conscience*.

These things I hope, Sir, You will consider in your Choice of Members for Parliament; and not be cheated with the Popular cry of *Liberty of Conscience*, into the *wilest* and *most despicable Slavery* both of Soul and Body.

I am S I R,

Your very Cordial Friend,

and faithful Monitor.

# A Plain Account of the PERSECUTION laid to the Charge of the CHURCH of ENGLAND.

**T**HE desire of *Liberty* to serve God in that way and manner, which Men judge to be most acceptable to him, is so Natural and Reasonable, that they cannot but be extremely provoked against those who would force them to serve him in any other. But the conceit withall, which most men have that their way of serving God is the only acceptable way; naturally inclines them, when they have Power, to use all means to constrain all others to serve him in that way only. So that *Liberty* is not more desired by all, at one time, than it is denied by the very same Persons at another. Put them into different Conditions, and they are not of the same mind: but have different inclinations, in one state, from what they have in another. As will be apparent by a short view of what hath passed in these Churches and Kingdoms, within our memory.

II. Before the late Civil Wars there were very grievous Complaints made of the *Bishops*; that they pressed the Ceremonies so strictly, as to inflict heavy Censures upon those called *Puritans*, who could not in *Conscience* conform to them. Now no sooner had those very Persons who thus complain'd, got their liberty to do as they pleased, but they took it quite away from the other: and Sequestred all those who would not enter into their *Holy League and Covenant*; for the Reforming all things; according to the Model which they propounded. Nay, they were not willing to bear with *Five* Dissenting Brethren among themselves; who could not conform to the *Presbyterial* Government. And when these Dissenting Brethren, commonly known by the name of *Independants*, had got a Party strong enough, which carried all before them; they would not allow the use of the *Common Prayer* in any Parish; no not to the *King* himself in his own Chappel: not grant to one of the old Clergy, so much liberty as to teach a School, &c. Which things I do not mention (God knows) to reproach those who were guilty of them; but only to put them in mind of their own

Fallings: that they may be humbled for them, and not insult over the Church of *England*; nor severely upbraid them with that, which when time was, they acted with a higher hand themselves. If I should report all that the *Presbyterians* did here, and in *Scotland*, and all that the *Independants* did here, and in *New-England*; it would not be thought that I exceed the Truth, when I say they have been more guilty of this fault, than those whom they now charge with it. Which doth not excuse the Church of *England*, it must be confessed; but doth in some measure mitigate her fault. For the Conformable Clergy having met with such very hard usage in that dismal time wherein many of them were oppressed above measure; no wonder if the smart of it, then fresh in their minds, something imbittered their Spirits; when God was pleased by a wonderful Revolution, to put them into Power again.

III. Then a stricter *Act of Uniformity* was made, and several Laws pursuant to it, for the enforcing that Uniformity, by severe Penalties. But let it be remembered that none were by those Laws constrained to come to Church, but had *Liberty* left them to serve God at home (and some Company with them) in their own way. And let it be farther remembered, that the reason why they were denied their liberty of meeting in greater Assemblies was, because such Assemblies were represented as *greatly endangering the publick Peace and Safety*: as the words are in the very first *Act* of this nature against *Quakers*; in the Year 1662. Let any one read the *Oxford Act*, (as it is commonly called) made in the Year 1665, and that at *Westminster* in the Year 1670. and he will find them intended against *Seditious Conventicles*; That is, they who made them were persuaded by the *Jesuit interest* at first to look upon such Meetings as *Nurseries of Sedition*, where bad Principles were infused into mens minds, destructive to the *Civil Government*. If it had not been for this, it doth not appear that the Contrivers of these Laws were inclined to such *Severities* as were thereby enacte

enacted; but the *Nonconformists* might have enjoyed a larger liberty in *Religion*. It was not *Religion* alone which was considered, and preterded; but the *publick peace and settlement*, with respect to which they were tyed up so straitly in the exercise of their *Religion*. Which, to deal clearly, I do not believe would have taught *Rebellion*: but this was constantly insinuated by the *Court Agents*; and it is no wonder if the *Parliament* who remembered how the *Ministers* of that *Persuasion* (though indeed from the then appearance of *Poperly*) had been the principal *Incouragers* of that *Defensive War* against the *King*, were easily made to believe that they still retained the same *Principles*, and would propagate them, if they were suffered among the *People*. Certain it is also, that the *Court* made it their care to have those *Acts* passed; though at the same time they hindered their execution: that they might keep up both *Parties* in the height of their *Animosities*; and especially that they might make the *Church of England*, be both, hated and despised by the *Dissenters*.

IV. Thus things continued for some time, till wise men began to see into the *Secret*; and think of a *Reconciliation*. But it was always hindered by the *Court*, who never thought of giving *Liberty* by a *Law*, but only by the *Prerogative*, which could as easily take it away. There was a time, for instance, when a *Comprehension*, &c. was projected by several *Great Men* both in *Church and State*; for the taking as many as was possible into *Union* with us; and providing *Ease* for the rest. Which so nettled the late *King*, that meeting with the then *Archbishop of Canterbury*, he said to him (as I perfectly remember) *What, my Lord, you are for a Comprehension?* To which he making such a reply as signified, he heard some were about it: *No*, said the *King*, *I will keep the Church of England pure and unmixed*: that is, never suffer a *Reconciliation* with the *Dissenters*. And when the *Lords and Commons* also had not many years ago passed a *Bill* for the repealing of the most heavy of all the *Penal Laws* against *Dissenters*, viz. the *Statute of 35 Eliz. 1.* (which, by the *Parliament* is made against the *Wicked and dangerous practices of Seditious Sectaries, and dissolvd persons*) his late Majesty so dealt with the *Clerk* of the *Parliament*, that it was shuffled away and could not be found; when it was to have been presented to him, among other *Bills* for his *Royal Consent* unto it. A notable token of the abhorrence the *Court* then had of all *Penal Laws*, and of their great kindness to *Dissenters*.

V. Who may remember, if they please, that

as once there was a time, when the *Court* turned out, or chid, those *Justices*, who were forward in the *Execution* of the *Laws* against *Nonconformists*, because they were then in so low a *Condition*, that the *Court* was afraid the *Church of England* might indeed be established in its *Uniformity*. So when the *Nonconformists* were by some liberty, grown stronger, and set themselves against the *Court* interest, in the *Election* of *Sheriffs*, and such like things; then all those *Justices* were turned out who hung back, and would not execute the *Laws* against them; and *Justices* pickt out for the purpose, who would do it severely. Nay, the *Clergy* were called upon, and had *Orders* sent them, to return the *Names* of all *Nonconformists* in their several *Parishes*; that they might be proceeded against in the *Courts Ecclesiastical*. And here I cannot forget the *Order* made by the *Middlesex Justices*, at the *Sessions* at *Hickses-Hall*, *Jan. 13. 1681.* Where they urge the *Execution* of the *Act* of *22 C. 2.* against *Conventicles*, because in all probability they will destroy both *Church and State*. This was the reason which moved them to call upon *Constables* and all other *Officers* to do their duty in this matter: *Nay*, to call upon the *B. of London* himself, that he would use his utmost endeavours, within his *Jurisdiction*, that all such *Persons* may be *Excommunicate*. This was a bold stroke, proceeding from an unusual degree of *Zeal*; which plainly enough signifies that the *Bishops* were not so forward as the *Justices* in the prosecuting of *Dissenters*. Who may do well to remember that the *House of Commons*, a little before this, had been so kind to them, that those *Justices* would not have dared to have been so severe as they were at *Hickses-Hall*, if they had not been set on by directions from *Whitehall*. For in their *Order* they press the *Execution* of the *Statute* 1 *Elz. 2.* and 3. *Jac. 1.* for levying *Twelve pence a Sunday* upon all those that do not come to *Church*: Whereas the *House of Commons*, *Nov 6. 1680.* had, *Resolved*, *Nemine contradicente*, that it is the *Opinion* of this *House*, That the *Acts* of *Parliament* made in the *Reign* of *Queen Elizabeth*, and *King James*, against *Papish Recusants*, ought not to be extended against *Protestant Dissenters*.

VI. Who should not forget how backward the *Clergy* of *London* especially, were to comply with this design, of reviving the *Execution* of the *Laws* against them; 'what courses they took to save them from this danger! and what hatred they incurred for being so kind to them!

Which in truth was kindness to themselves; for now they saw plainly enough that Nothing was intended but the destruction of us both by setting us in our turns, one against the other. Many indeed were possessed with the old Opinion, that the Dissenters aimed at the overthrow of the Government both in Church and State: which made them the more readily joyn with those who were employ'd to suppress them. by turning the edge of the Laws upon them. But both these were most industriously promoted by the Court: who laboured might & main to have this believed, that they who were called *Whigs*, intended the ruine of the Church and of the Monarchy too: and therefore none had the Court favour, but they alone who were for the ruining of them: all others were frown'd upon, and branded with the name of *Trimmers*; who they adventured at last, to say were worse than *Whigs*. Meerly because they seeing through the design, desired those ugly Names of *Whig* and *Tory* might be laid aside; and perswaded all to *Moderation, Love, Unity, and Peace*. If any man had these dangerous words in his mouth, he had a mark set upon him; and was lookt upon as an Enemy, as soon as he discovered any desires of Reconciliation. *No peace with Dissenters* was then as much in some mens mouths, as *no peace with Rome* had been in others. They were all voted to destruction; and it was an unpardonable Crime so much as to mention an Accommodation.

*Such things as these ought not to be forgotten.*

VII. But if they list not to call them to mind, (tho' they be of fresh memory) yet let them at least consider what they have had at their Tongues end, ever since they knew any thing: That *the Church of Rome is a persecuting Church, and the Mother of Persecution*. Will they then be deluded by the present *Sham of Liberty of Conscience*; which they of that Church pretend to give? It is not in their power, no more than in their Spirit: They neither will nor can give liberty of Conscience; but with a design to take all liberty from us. That Church must be obeyed; and there is no middle choice among them, between *ruin or burn, conform or be undone*. What Liberty do they give in any Country where their power is established? What Liberty can they give who have determined that Hereticks ought to be rooted out? Look into *France* (with which we have had the strictest Alliance and Friendship a long time) and behold, how at this moment they compel those to go to *Mass*; who they know abhor it

as an abominable Idolatry. Such a violent Spirit now acts them, that they stick not to prophane their own most *holy Mysteries*; that they may have the face of an *Universal Conformity* without the least Liberty. For the *new Converts* as they are called, poor Wretches, are known to be mere *outward Compliers* in their Hearts abominating that which they are forced eternally to worship. They declare as much by escaping from this Tyranny over their Consciences, and bewailing their sinful Compliance; whensoever they have an opportunity. And they that cannot escape, frequently protest they have been constrained to adore that, which they believe ought not to be adored. And when they come to dye, refuse to receive the *Romish Sacrament*; and thereupon are dragg'd, when dead, along the Streets, and thrown like dead Dogs upon the Dunghils. Unto what a height of rage are the spirits of the *Romish Clergy* inflamed; that it perfectly blinds their eyes, and will not let them see how they expose the most sacred thing in all their Religion (the *Holy Sacrament*, which they believe to be *Jesus Christ* himself) to be received by those who they know have no reverence at all for it, but utterly abhor it? For they force them, by all manner of violence, to adore the *Host* against their will, and then to eat what they have adored; tho' they have the greatest reason to believe, that those poor Creatures do not adore it. That is, the Church of *Rome* will have her Mysteries adored by all, tho' it be by *Hypocrites*. None shall be excused, but whether they believe or not believe, they shall be compelled to do as that Church doth. Nothing shall hinder it; for the hatred and fury wherewith they are now transported, is so exceeding great; that it makes them (as I have said) offer violence even to their own Religion, rather than suffer any body not to conform to it.

VIII. And assure your selves they are very desirous to extend this Violence beyond the bounds of *France*. They would fain see *England* also, in the same condition. the Bishop of *Valence* and *Die*, hath told as much, in the Speech which he made to the *French King*, in the Name of the Clergy of *France*, to Congratulate his glorious Achievements, in rooting out the Heresie of *Calvin*. In which he hath a most memorable passage, for which we are beholden to him because it informs us that they are not satisfied with what their King hath done there; but would have him think there is a further Glory reserved for him, of lending his help to make us such good Catholicks, as he hath made in *France*. This is the blessed Work they would be

at : and if any among us be still so blind as not to see it, we must look upon it as the just judgment of God upon them for some other sins which they have committed. They are delivered up to a reprobate mind, which cannot discern the most evident things. They declare to all the World that they have been above fifty years crying out against they know not what. For they know not what *Poper*y is (of which they have seem'd to be horribly afraid) if they believe that they of that Religion either can or will give any *Liberty*; when they have power to establish their *Tyranny*. It is no better : St. *John* himself hath described that Church under the name of *Babylon*, that cruel City; and of a *BEAST*, which like a *Bear*, tramples all under its feet; and of another *Beast*, which causes as many as will not worship the Image of the *Beast*, to be killed; and that no man may buy or sell save such as have had his mark; i. e. are of his Religion. *Rev.* 13. 1, 15, 16. This Character they will make good to the very end of their Reign, as they have fulfill'd it from the beginning. They cannot alter their nature no more than the *Ethiopian* change his skin, or the *Leopard* his spots. It ever was since the rise of the *Beast*, and it ever will be till its fall, a bloody Church, which can bear no contradiction to her Doctrine and Orders, but will endeavour to root out all those that oppose her from the face of the Earth. Witness the Barbarous *Crusades* against the poor *Albigenses* in *France*: none of which alone *Bellarmino* himself saith, & not without Triumph, there were killed no less than an hundred thousand. Witness the horrible Butcheries committed in *France*, in *England*, and in the *Low-countries* in the Age before us; and in *Poland*, the *Vallies of Piedmont*, and in *Ireland* in this Age; upon those who had no other fault but this, that they made the *Holy Scriptures*, and the *Roman Church*, the Rule of their Faith.

IX. 'But if you be ignorant of what hath been done, and is doing abroad, yet I hope you observe what they do here at home. What do you think of the *Declaration* which was very lately imposed to be read in all our Churches? Which when several *Bishops* and their Clergy, most humbly represented, they could not in *Conscience* publish to the People in time of Divine service; this would not excuse them; their *Petition* was receiv'd with indignation, and look'd upon as a *Libel*; the *Bishops* were prosecuted for it, and *Inquiry* is now ordered to be made after those who did not read it (as well as those that did) that they may be punished by the *High Commissioners*. Call you this *Liberty of Conscience*? Or do you imagine you shall never have any thing imposed upon you, to

'be read in your Congregations, which you cannot comply withall? Consider, I beseech you, what will become of you when that time shall come? What's the meaning of this, that ever they are look'd upon as *Offenders*, for following their *Conscience*, whose Services have been acknowledged to be so great, that they should never be forgotten? It ought to teach *Dissenters* what they are to expect hereafter, when they have served them so far, (by taking off the *Tests* and the *Penal Laws*) as to enable them with safety to remember all their former pretended transgressions. Let them assure themselves the services of the Church of *England* are not now more certainly forgotten than the *Sins of Dissenters* will hereafter, when they have got power to punish them, be most certainly remembered. Be not drawn in then by deceitful words to help forward your own destruction. If you will not be assistant to it, they cannot do it alone: and it will be very strange if you be persuaded to lend them your help, when the deceit is so apparent. For what are all the present pleas for *Liberty*, but so many infamous *Libels* upon the *Roman Church*, which denies all Men this *Liberty*? While they declaim so loudly against *Persecution*, they most notoriously reproach *Poper*y, which subsists by nothing but deceit and cruelty. And who can think that they would suffer their Church to be so exposed and reviled, as it is by such discourses, but with a design to cheat heedless people into its obedience? For this end they can hear it proved, nay, prove it themselves to be an *Antichristian Church*, when they prove it is against *Christianity*, nay, against the Law of *Nature* and *Common Reason*, to trouble any body for his opinion in Religion.

X. 'Once more then I beseech you, be not deceived by good words, if you love your *Liberty* and your *Life*. Call to mind how our poor Brethren in *France* were lately deluded by the repeated *Protestations* which their King made, he would observe the *Edict of Nantes* (which was the foundation of their *Liberty*) even then, when he was about to overthrow it: and by many assurances which were given them by those who came to torment them, that the King intended to reform the Church of *France*, as soon as he had united his Subjects. What he had done already against the Court of *Rome*, they told them was an instance of it; and they should shortly see other matters. Such ensnaring words they heard there daily from the mouths of their armed Persecutors, who were ready to fall upon them, or had begun to oppress them: And therefore they would be



arrant fools here, if they did not give good words when they have no power to hurt us. But we shall be far greater fools if we believe they will keep their word when they have got that power; the greatest of all fools if we give them that Power. They have no other way but this, to wheedle us out of our *Laws* and *Liberties*. Do but surrender the one, I mean our *Laws*, & they will soon take away the other, our beloved *Liberties*. Be not tempted to make such a dangerous Experiment: but let the *Laws* stand as they are because they are against them (as appears by their earnest endeavours to repeal them) and be not used as tools to take them away, because they have been grievous to you. They never can be so again. For can they who now Court you have the face to turn them again upon you, after they have made all this noise for Liberty? And the Church of *England*, you may be assured, will not any more trouble you: but when a Protestant Prince shall come, will joyn in the healing of all our breaches; by removing all things out of the way, which have long hindred that blessed work. They cannot meet together in a body to give you this assurance (how should they without the King's authority to do?) but every particular person that I have discoursed withal, which are not a few (and you your selves would do well to ask them, when you meet them) profess that they see an absolute necessity of making an end of these Differences that have almost undone us: and will no longer contend to bring all men to one *Uniformity*; but promote an *Uniform Liberty*. Do not imagine I intend to give mere words: I mean honestly; such a regular

*Liberty*, as will be the beauty and honour, not the blot and discredit of our Religion. To such a temper the Archbishop of *Canterbury*, with several other Bishops of his Province, and their Clergy, have openly declared they are willing to come. And the Bishops and Clergy of the Church of *England* have never been known to act deceitfully. Our Religion will not at any time allow them to equivocate; nor to give good words without a meaning, much less at such a time as this, when our Religion is in great danger; and we have nothing to trust unto, but Gods protection of sincere Persons. Let *Integrity and Uprightness* preserve us, is their constant Prayer. They can hope for no help from Heaven, if they should prevaricate with men. God they know would desert them, if they should go about to delude their Brethren. And they are not so void of common sense, as to adventure to incur his most high displeasure, when they have nothing to rely upon but his favour.

In short, Trust to those who own you for their Brethren, as you do them; for tho' they have been angry Brethren, yet there is hope of Reconciliation between such near Relations. But put no Confidence in those who not only utterly disown any such Relation to you, but have ever treated you with an implacable hatred, as their most mortal Enemies; unto whom it is impossible they should be reconciled.

Prov. 12. 19, 20. *The lips of Truth shall be established for ever: but a lying Tongue is but for a moment.*

*Lying lips are an abomination to the Lord: but they that deal truly are his delight.*

Abby and other Church-Lands, not yet assured to such Possessors as are Roman Catholics; Dedicated to the Nobility and Gentry of that Religion.

Since it is universally agreed on, that so great a matter as the total alienation of all the *Abby-Lands*, &c. in *England*, can never be made legal and valid; and such as will satisfy the reasonable doubts and scruples of a religious and conscientious Person, except it be confirm'd by the supreme Authority in this Church; its evident that the Protestants, who assert the Church of *England* to be *autocephals*, and such as allows of no Foreign Jurisdiction or Appeals, having had these Lands confirm'd to them by the King as Head of the Church, the Convocation as the Church representative and by the King and Parliament as the supreme Legislative Power in this Realm, have these Alienations made as valid to them as any

Power on Earth can make them; but the Members of the Church of *Rome*, who maintain a Foreign & Superiour Jurisdiction, either in a general Council, or in the Bishop of *Rome*, or both together, cannot have these Alienations confirm'd to them, without the consent of one or both of these Superiour Jurisdictions. If therefore I shall make it appear, that these Alienations in *England* were never confirm'd by either, I do not see how any *Roman-Catholick* in *England* can, without Sacrilege, retain them and his Religion together.

As to the first of these, since there hath been no Council from the first Alienation of *Abby-Lands* in *England* to this day, that pretends to be general, but that of *Trent*; we need only look into that

for the satisfaction of such *Roman Catholicks* as esteem a general Council above the Bishop of *Rome*: And I am sure that that Council is so far from confirming these *Abby-Lands* to the present Possessors, that it expressly denounceth them accursed that detain them. *Sess. 22. Decret. de Ref. Cap. 11. Si quem. &c.* ' If Coverousness, the root of all evil, ' shall so far possess any Person whatsoever, whether ' of the Clergy or Laity, though he be an Em- ' perour or a King, as that by force, fear, or fraud, ' or any art or colour whatsoever, he presume to ' convert to his own use & usurp the Jurisdiction, ' Goods, Estates, Fruits, Profits or Emoluments ' whatsoever, of any Church or any Benefice, Secu- ' lar or Regular, Hospital or Religious House; or ' shall hinder that the profits of the said Houses ' be not received by those to whom they do of ' right belong, let him lie under an *Anathema* till ' the said Jurisdiction, Goods, Estates, Rents, and ' Profits, which he hath possessed and invaded, ' or which have come to him any manner of ' way, be restored to the Church; and after that ' have Absolution from the Bishop of *Rome*. So great a Terrour did this strike into the *English* Papists that were possessors of Church- Lands, against whom this *Anathema* seems particularly directed, that many of the zealous papists began to think of Restitution, and Sir *William Peters*, notwithstanding his private Bull of Absolution from Pope *Julius* the Fourth, was so much startled at it, as that the very next year he endowed eight new Fellowships in *Exeter* Colledge in *Oxford*. Again, the same Council, ' *Sess. 25. Decret. de Ref. c. 20. Cupiens Sancta Synodus, &c.* ' Decreeeth and commandeth, that all the Holy Canons, and general Councils, and Apostolick Sanctions in favour of Ecclesiastical Persons, and the Liberties of the Church, and against those that violate them be exactly observed by every one; and doth farther admonish the Emperor, Kings, Princes, and all Persons of what estate soever, that they would observe the Rights of the Church as the commands of God, and defend them by their particular Patronage, nor suffer them to be invaded by any Lords or Gentlemen whatsoever; but severely punish all those who hinder the Liberties, Immunities and Jurisdictions of the Church; and that they would imitate those excellent Princes, who by their Authority and Bounty increased the Revenues of the Church; so far were they from suffering them to be invaded, and in this let every one sedulously perform his part, &c. And now after so full and express Declaration of the Council of *Trent*. I do not see how any of

those *Roman Catholicks*, who esteem a general Council to be the supreme Authority in the Church, and receive the *Trent* Council as such, can any way excuse themselves in point of Conscience from those heavy Curses that are there denounc'd against all those that detain Church-Lands, especially since the Papists themselves vehemently accuse King *Henry* the Eighth for sacrilegiously robbing of religious Houses, and seizing of their Lands; a great part of which Lands are to this very day possess'd by Papists. Now though there may be some Plea for the Popes Authority, in the interim of a general Council, and in such things where in they have made no determination; yet in this matter there is no colour for any such pretences, since the Council of *Trent* was actually assembled within few years after these Alienations, and expressly condemned the possessors of *Abby-Lands*, and after all this was all confirm'd and ratified by the Pope himself in his *Bulla Super conf. gen. Concil. Triid. A. D. 1564.* And tho' we have here the Judgment of the infallible See, as to this matter in the Confirmation of the *Trent* Council, yet because there be some that magnifie the Popes extravagant and unlimited power over the Church, and pretend that he confirm'd the *Abby-Lands* in *England* to the Lay-possessors of them, I shall shew. Secondly, That the Pope neither hath nor pretends to any such Power, nor did ever make use of it in this matter under debate; only I shall premise, that whereas some part of the Canon-Law seem to allow of such particular alienations as are made by the Clerks and members of the Church, with the consent of the Bishop, yet such free consent was never obtained in *England*, and as to what was done by force, fraud, and violence, is of so little moment as to giving a legal Title, that even the alienations that were made by *Charles Martell*, who is among the Papists themselves as infamous for Sacrilege as King *Henry* the Eighth, yet even his Acts are said to be done by a Council of Bishops as is acknowledg'd by Dr. *Johnston* in his assurance of *Abby-Lands*, p. 27. I shall proceed to shew, First, That the Pope hath no such power as to confirm these Alienations, and this is expressly determined by the infallible Pope *Damasus* in the Canon-Law. *Caus. 12. 9. 2. c. 20. The Pope cannot alienate Lands belonging to the Church in any manner, or for any necessity whatsoever, both the buyer and the seller lie under an Anathema till they be restored, so that any Church-man may oppose any such Alienations, and a-*  
gain

gain require the Lands and Profits so alienated. So that here we have a full and exprest Determination of the infallible See. And tho in answer to this it is urg'd by Dr. *Johnston*, that this Canon is with small difference published by *Binius* in the Councils, and so as to confine it to the suburbicary Diocess of *Rome*; yet that this Answer is wholly trivial, will appear.

First, Because if the Bishop of *Rome* hath no Authority to confirm such alienations in his own peculiar Diocess where he hath most power, much less can he do it in the Provinces where his power is less.

Secondly, That in all Ecclesiastical Courts of the Church of *Rome*, it is not *Binius's* Edition of the Councils, but *Gratian's* Collection of Canons, that is of Authority, in which Book these words are as here quoted.

Thirdly, Since this Book of the Popes Decree hath been frequently reprinted by the Authority and Command of several Popes, and constantly used in their courts; this is not to be look'd upon as a Decree of Pope *Damasus* only, but of all the succeeding Popes, and in the opinion of *F. Ellis*, (*Sermon before the King, Decem. 5. 1686. p. 21.*) what is inserted in the Canon-Law is become the Judgment of the whole-Church.

Fourthly, It's absolutely forbid by Pope *Gregory* the Thirteenth. in his Bull prefixed before the Canon-Law (*A. D. 1580*) for any one to add, or invert any thing in that Book.

So that according to this exprest Determination in the Popes own Law the Bishops of *Rome* have no power to confirm any such Alienations as have been made in *England*, and agreeable to all this Pope *Julius* the Fourth, (the very Person that is pretended to have confirm'd these Alienations) declar'd to our *English* Ambassadors, that were sent upon that Errand; *That if he had power to grant it, he would do it most readily, but his Authority was not so large. F. Paul's H. of Council of Trent, Lond. A. D. 1629. p. 392.* And therefore all Confirmations from the Bishop of *Rome*, are already prejudg'd to be invalid, and of no force at all.

Secondly, No Bishop of *Rome* did ever confirme them. The Breve of Pope *Julius* the Third, which gave Cardinal *Pool* the largest powers towards effecting this, had this exprest limitation, 'Salvo tamen in his, quibus proper renem magnitudinem & gravitatem hæc Sancta sedes merito tibi videritur consulenda, nostro & prefatæ sedis beneplacito & conformatione, i. e. Saving to us in these matters (in which

by reason of their weight and greatness this holy See may justly seem to you, that of right 'it ought to be consulted) the good pleasure and confirmation of us and of the holy See, which is the true English to that Latin, and that this whole Kingdom did then so understand these words, is evident from the three Ambassadors that were sent to *Rome* the next Spring, viz. Viscount *Montecute*, Bishop of *Ely*, and Sir *Edward Carn*. these being one to represent every state of the Kingdom,) to obtain of him a Confirmation of all those Graces which Cardinal *Pool* had granted. *Burnet's H. Ref. p. 2. f. 300.* So that in the esteem of the whole Nation, what the Cardinal had done was not valid without the Confirmation of the Pope himself. Now this Pope *Julius*, and the next *Marcellus* both dyed before there is any pretence of any Confirmation from *Rome*; but this was at length done by Pope *Paul* the Fourth, is pretended, and for proof of it three things are alledged, First, The Journals of the House of Commons where are these wordes, *After which was read a Bill from the Popes Holiness, confirming the doing of my Lord Cardinal, touching the assurance of Abby-Lands, &c.* Secondly, a Bull of the same Pope to Sir *Will. Peters*. Thirdly, The Decrees of Cardinal *Pool*, and his Life by *Dudithius*: To all which I answer.

First, That its confess'd on all hands, that there is no such Bull or Confirmation by Pope *Paul* the Fourth, to be any where found in the whole World, not any Copy or Transcript of it, not in all the *Bullaria*, nor our own Rolls and Records, tho' it be a matter of so great moment to the Roman Catholicks of *England*, and what cannot be produced may easily be denied. Nor can it be imagin'd that a Journal of Laypersons that were parties concerned, or a private Bull to Sir *Will. Peters*, or some hints in the Decrees and Life of the Cardinal will be of any moment in a Court at *Rome*, whensoever a matter of that vast consequence, as all the *Abby-Lands* in *England* shall come to be disputed, especially if it be observed, that this very Journal of the house of Commons is no publick Record, but hath pass'd through private hands, hath been corrupted and defaced, and that in Passages of the greatest moment, as are the words of *W. Hakewell* Esq; in his Observation upon them 70 Years since, printed *A. D. 1641.* And whereas the Journals of the House of Lords are true Records, and kept by their proper Officer; there is not one word to be found of any such confirmation.

Secondly, If there ever was any such Bull it had this limitation in it, that the Possessors of such Lands should bestow them all on Colleges, Hospitals, parochial Ministers, or other such like spiritual Uses; and this I prove.

First, Because the famous Instances that are usually given of the Popes Alienations of Church Lands, were only a changing them from one religious Use to another. Thus when Pope Clement the Fifth, A. D. 1307, suppress'd the Knights-Templars in this Nation, and seiz'd all their Lands and Goods, he gave them all to the Hospitallers of St John of Jerusalem, and that was ratified in Parliament, 17. Edw. Second; which Act sets forth, That tho' those Lands were escheated to the Lords of the Fee by the said Dissolution, yet it was not lawful to detain them. When Pope Clement the Seventh, A. D. 1528, gave Cardinal Woolsey a Power to surpris several Monasteries; he was to transferr all their Goods and Possessions to his Collegiate Church at Windsor, and to Kings College in Cambridge; and when the same Pope gave the same Cardinal many other Religious Houses, it was for the endowing Christ-Church in Oxford, and his College in Ipswich: And to name no more, when Pope Alexander the seventh, A. D. 1655. suppress'd the Order of the Fratres Cruciferi, he disposed of all their Houses, Farms and Rights to such uses and pious works as he thought fit. Vide Bullar. Ludz. Vol. Utr. Fol. 220.

Secondly, When this very Pope was attended with the English Ambassadors that came to his Confirmation, the Pope found fault with them, That the Church-yards were not restored, saying that it was by no means to be tolerated, and that it was necessary to render all even to a Farthing, because the things that belong to God, can never be apply'd to humane uses, and he that withholdeth the least part of them, is in a continual State of Damnation; that if he had power to grant them he would do it most readily,— but his authority was not so large as that he might prophane the things that are dedicated to God; and let England be assur'd that this would be an Anathema, &c. F. Pauls H. of the Council of Trent; p. 392. Sleidami Com. p. 779. And all this was said by the Pope within four Months of the pretended Confirmation.

Thirdly, The private Bull to Sir W. Peters bears date within two Months after the pretended Confirmation, vide. Sir W. Dugdales Eccl. Col. Fol. 207. the Title of which Bull is this, The Bull of Paul the Fourth Bishop of Rome, in which he confirms to Sir W. Peters all and

singular the Sales of several Mannors, &c. sometimes belonging to Monasteries, which the said Sir W. Peters is ready to assign and demise to spiritual uses. Then follows the Bull it self, which saith, That this Confirmation was humbly desired from us, and that there were reasonable Causes to perswade it, viz. a Petition exhibited by the said Sir W. Peters, that the Mannors, &c. belonging to certain Monasteries, and sold to him by King Henry the Eighth, which he is ready to assign and demise to spiritual uses, may be approved and confirm'd to him; wherefore the said Pope doth acquit and absolve him, being inclined by the said supplications, &c. By which Bull Sir W. Peters had no power given him to keep those Lands or dispose of them to his Heirs, but only to distribute them to such religious uses as he thought best. Now it is a most implorable thing, that Sir W. Peters should petition the Pope for a limited Dispensation, if the whole Nation, as is pretended, had been absolutely dispenc'd with but two Months before, without any limitation at all: So that either there was no such General Confirmation, or else it was limited, with the same restrictions as that to Sir W. Peters, viz. to bestow them upon spiritual Uses. And this is the only probable Reason why in England this Bull is wholly suppress'd and lost. In confirmation of this, it may be observed, that Cardinal Pool, notwithstanding his Dispensation, earnestly exhorted all Persons by the Bowels of Christ Jesus, that not being unmindful of their Salvation, they would at least out of their Ecclesiastical Goods take care to increase the Endowments of Parsonages and Vicarages, that the Incumbents may be commodiously and honestly maintain'd according to their Quality and Estate, whereby they may laudibly exercise the cure of Souls, and support the incumbent Burchens, and farther urg'd the Judgments that fell upon Baithazar, for converting the holy Vessels to prophane uses.

Fourthly, Queen Mary, who best understood what had been done, after the time of this pretended Confirmation from the Pope, restored all the Church-Lands that werè then in the Crown, saying, "That they were taken away contrary to the Law of God and of the Church, and therefore her Conscience did not suffer her to detain them, &c. When she gave them to the Pope and his Legate to dispose of to the Honour of God, &c. she said, 'She did it because she set more by the Salvation of her

'her Soul than ten such Kingdoms. *Heylins H. Ref.* p. 235. And to this Act of Restitution, she was vehemently press'd by the Pope and his Legate. *F. Paul's H. of the C. of Trent*, p. 393. *Dudithius in vita poli.* p. 32. And these things thus restored by the Queen, were disposed of by the Legate to several Churches, *Dudithius, ib.* From all which it's evident, that neither the Pope, nor his Legate, nor Queen *Mary* knew of any such Confirmations of these Alienations as would quiet the Conscience without restoring them to spiritual uses.

Fifthly, Queen *Mary*, not only did so her self, but press'd it vehemently upon her Nobles and Parliament, that they would make full Restitution, *Heylin* p. 237. *Sleidan*, p. 791. and several of them, as *Sir Thomas Pope*, *Sir William Peters*, &c. who had swallowed the largest morsels of those Lands, did make some sort of Restitution, tho' not to the Abbies themselves, yet to Colledges and Religious Uses.

Sixthly, This very Pope *Paul* the Fourth, published a Bull, in which he threaten'd Excommunication to all manner of Persons as kept any Church Lands to themselves, and to all Princes, Noblemen, and Magistrates, that did not forthwith put the same in Execution. *Heylin's Hist. Ref.* p. 238. So that by a new Decree he retrieved all those Goods and Ecclesiastical Revenues which had been alienated from the Church, since the time of *Julius* the Second, *Rycaut's Contin.* p. 112. So improbable a story is it, that this Pope confirm'd these Alienations in *England*. And whereas *Dr. Johnston*, p. 173. hath these words, *Mr. Fox saith*, 'the Pope published a Bull in print against the restoring of Abby-Lands, which *Dr. Burnet* affirms also, Ap. Fol. 403. It is notoriously false, they both asserting the contrary; *Dr. Burner's* Words in that very place are these: 'The Pope in plain terms refused to ratifie what the Cardinal had done, and soon after set out a severe Bull, curbing and condemning all that held any Church-Lands.

Seventhly and lastly, The succeeding Popes have been clearly of this opinion. Pope *Pius* the Fourth, who immediately succeeded this *Paul*, confirm'd the Council of *Trent*, and there in damned all the detainers of Church-Lands; and tho' he was much importun'd to confirm some Alienations made by the King of *France* to pay the debts of the Crown, yet he absolutely refus'd it, *F. Paul's H. C. Trent*, p. 713. Pope *Innocent* the Tenth, first protested against the Alienations of Church Lands in *Germany*, that were made at the great Treaty of *Manster* and

*Onsburg*, A. D. 1648. and when that would not do, by his Bull, *Nov. 26.* in the very same Year, damns all those that should dare to retain the Church-Lands, and declares the Treaty void. *Instrumentum pacis*, &c. & *Innocentii 10 me declaratio nullitatis. Artic. &c.* and all their late Popes in the *Bulla cana* do very solemnly 'Damn and Excommunicate' all those who usurp any Jurisdiction, Fruits, Revenues, and Emoluments belonging to any Ecclesiastical Person upon account of any Churches, Monasteries; or other Ecclesiastical Benefices, or who, upon any occasion or cause, Sequester the said Revenues without the express leave of the Bishop of *Rome*, or others, having lawful power to do it, &c. And tho' upon *Good-Friday* there is published a general Absolution, yet out of that are expressly excluded all those who possess any Church-Lands or Goods, who are still left under the sentence of Excommunication. *Toleti Inscr. Sacerd.* and his *Explicatio casuum in Bulla cana Dni reservata.*

From which considerations it's evident, that it never was the design of the Pope to confirm the English Church Lands to the Lay-possessors, but that he always urg'd the necessity of restoring of them to religious uses; in order to which, the Papists prevailed to have the statute of *Mortmain* repealed for 20 Years. In Queen *Elizabeth's* Reign the factious Party that was manag'd wholly by Romish Emiffaries, demanded to have Abbies and such religious Houses restored for their Uses, and A. D. 1585, in their Petition to the Parliament, they set it down as a resolute Doctrine, that things once dedicated to Sacred Uses ought so to remain by the Word of God for ever, and ought not to be converted to any private use, *Bishop Bancroft's Sermon at p. c. A. D. 1588.* p. 25. And that the Church of *Rome* is still gaping after these Lands, is evident from many of their late Books, as the Religion of *M. Luther*, lately printed at *Oxford*, p. 15. The Monks wrote Anathema upon the Registers and Donations belonging to Monasteries; the weight and effect of which Curses are both felt and dreaded to this day. To this end, the Monasticum Anglicanum is so diligently preserved in the Vatican, and other Libraries in Popish Countries; and especially this appears from the obstinate refusal of this present Pope to confirm these Alienations, tho' it be a matter so much controverted, and which would be of that vast Use towards promoting their Religion in this Kingdom.

If therefore the Bishops of *Rome* did never confirm these Alienations of Church Lands, but earnestly and strictly required their Restitution; if they have declared in their Authentick Canons, that they have no power to do it, and both they and the last general Council pronounce an heavy Curse and Anathema against all such as detain them: Then let every one that possesseth these Lands, and yet owns either of these Foreign Jurisdictions, consider, that here is nothing left to excuse him from Sacrilege, and therefore with his Estate he must derive a curse to his Posterity. There is scarcely any Papist but that is forward to accuse King *Henry the 8th.* of Sacrilege, and yet never reflects upon himself who quietly possesseth the Fruits of it, without Restitution, either let them not accuse him, or else restore themselves. Now whatever opinions the Papists may have of these things in the time of health, yet I must desire to remember what the Jesuits proposed to Cardinal *Pool* in *Doctor Pary's* Days, viz. That if he would encourage them in *England*, they did not doubt but that by dealing with the Consciences of those who were dying, they should soon recover the greatest



*greatest part of the Goods of the Church.* Dr. Burnet's Hist. Vol. 2. p. 328. Not to mention that whensoever the Regulars shall grow numerous in England, and by consequence burthensome to the few Nobility and Gentry of that Perswasion, they will find it necessary for them to consent to a Restitution of their Lands, that they may share the burthen among others. For so vast are the Burthens and Payments that that Religion brings with it, that it will be found at length an advantagious Bargain to part with all the *Church Lands* to indemnify the rest. And I am confident that the Gentry of England that are Papists, have found greater Burthens and Payments since their Religion hath been allow'd, than ever they did for the many years it was forbid; and this charge must daily increase so long as their *Clergy* daily grows more numerous, and their few *Converts* are most of them of the meanest Rank, and such as want to be provided for: And that's no easie matter to force *Converts*, may appear from that excellent Observation of the great Emperor *Charles* the Fifth, who told Queen *Mary*, That by endeavouring to compel others to his own Religion, he had tired and spent himself in vain, and purchas'd nothing

but, but his own dishonour. Card. Pool in Heylin's Hist. Ref. p. 217. And to conclude this Discourse, had the Act of Pope *Julius* the Third by his Legate *Cardinal Pool*, in confirming of the Alienation of *Church Lands* in England, been as vallid as is by some pretended? yet what shall secure us from an Act of Resumption? That very Pope after that pretended Grant to *Cardinal Pool*, published a Bull, in which he excommunicated all that kept *Abby Lands* or *Church Lands*, Burnet's Hist. Vol. 2. p. 309. by which all former Grants, had there been any, were cancell'd. His Successor, Pope *Paul* the Fourth, retrieved all the Goods and Ecclesiastical Revenues that had been alienated from the Church, since the time of *Julius* the Second; and the chief Reasons that are given why the Popes may not still proceed to an Act of Resumption of these Lands in England, amount only to this, That they may stay for a fair opportunity, when it may be done without disturbing the Peace of the Kingdom. From all which it's evident, that the detaining of *Abby Lands*, and other *Church Lands*, from the Monks and Friars, is altogether inconsistent with the Doctrine and Principles of the *Romish* Religion.

### *The King's Power in Ecclesiastical Matters truly stated.*

**H**IS present Majesty having erected an High-Commission Court to enquire of, and make redress in Ecclesiastical Matters, &c.

Q. Whether such a Commission, as the Law now stands, be good or not?

And I hold that the Commission is not good. And to maintain my Opinion herein, I shall, in the first place, briefly consider, what Power the Crown of England had in Ecclesiastical or Spiritual Matters (for I take them to be synonymous Terms) before 17 *Car. 1. ca. 11.* And 2<sup>ly</sup>. I shall particularly consider that Act of 17 *Car. 1. ca. 11.* And, 3<sup>ly</sup>. I shall consider 13 *Car. 2. ca. 12.* And by that time I have fully considered these three Acts of Parliament, it will plainly appear, That the Crown of England hath now no Power to erect such a Court.

I must confess, and do agree, That by the common Law all Ecclesiastical Jurisdiction was lodged

in the Crown; and the Bishops, and all Spiritual Persons derived their Jurisdiction from thence: And I cannot find, that there were any attempts by the Clergy to divest the Crown of it, till *William* the First's time, in whose time, and his Successors down to King *John*, the Pope obtained four Points of Jurisdiction; 1<sup>st</sup>. Sending of Legates into England. 2<sup>ly</sup>. Drawing of Appeals to the Court of Rome. 3<sup>ly</sup>. Donation of Bishopricks and other Ecclesiastical Benefices. And, 4<sup>ly</sup>. Exemption of Clerks from the secular Power. Which four Points were gained within the space of an hundred and odd years; but with all the opposition imaginable of the Kings and their People; and the Kingdom never came to be absolutely enslaved to the Church of Rome till King *John*'s time, and then both King and People were, and so continued to be in a great measure in *Henry III*'s time; and so would in all likelihood have continued, had not the wise *Ed-*

ward I. opposed the Pope's Usurpation, and made the Statute of *Mortmain*: But that which chiefly brake the Neck of this, was, That after the Pope and Clergy had endeavoured in *Ed. II's* time, and in the beginning of *Ed. III.* to usurp again; *Ed. 3.* did resist the Usurpation, and made the Statutes of *Provisors*, 25 *Ed. 2.* and 27 *Ed. 3.* And *Richard II.* backed those Acts with 16 *Rich. 2. ca. 5.* and kept the Power in the Crown by them Laws, which being interrupted by *Queen Mary*, ( a bloody Bigot of the Church of *Rome* ) during her Reign, there was an Act made in 1 *Eliz. ca. 1.* which is *Keeble's* intituled *An Act to restore to the Crown the ancient Jurisdiction over the Estate, Ecclesiastical and Spiritual, and abolishing all foreign Powers repugnant to the same.* From which Title I collect three things; 1<sup>st</sup>. That the Crown had anciently a Jurisdiction over the Estate Ecclesiastical and Spiritual. 2<sup>ly</sup>. That that Jurisdiction had for some time been at least suspended, and the Crown had not exercised it. 3<sup>ly</sup>. That this Law did not introduce a new Jurisdiction, but restored the Old; but with restoring the old Jurisdiction to the Crown, gave a Power of Delegating the Exercise of it. And as a Consequence from the whole, that all Jurisdiction that is lodged in the Crown, is subject nevertheless to the Legislative Power in the Kingdom.

I shall now consider what Power this Act of 1 *Eliz. 1.* declares to have been anciently in the Crown, and that appears from *Seff. 16, 17, 18.* of the same Act.

*Section 16.* Abolisheth all Foreign Authority in Cases Spiritual and Temporal, in these words; *And to the intent that all the Usurped and Foreign Power and Authority, Spiritual and Temporal, may for ever be clearly extinguished, and never to be used or obeyed within this Realm, or any other Your Majesties Dominions or Countries: (2.) May it please Your Highness, that it may be further Enacted by the Authority aforesaid, That no Foreign Prince, Person, Prelate, State or Potentate Spiritual or Temporal, shall at any time after this last day of this Session of Parliament, use, enjoy, or exercise any manner of Power, Jurisdiction, Superiority, Authority, Prebeminence or Privilege Spiritual or Ecclesiastical within this Realm, or within any other Your Majesties Dominions or Countries that now be, or hereafter shall be, but from thenceforth the same shall be clearly Abolished out of this Realm, and all other Your Highness's Dominions for ever; any Statute, Ordinance, Custom, Constitutions, or any other matter or cause whatsoever to the contrary*

*in any wise notwithstanding.* And after the said Act hath abolished all Foreign Authority, in the very next Section, *Seff. 17.* it annexeth all Ecclesiastical Jurisdiction to the Crown in these words; *And that also it may likewise please Your Highness, That it may be Established and Enacted by the Authority aforesaid, That such Jurisdctions, Priviledges, Superiorities, and Prebeminences, Spiritual and Ecclesiastical, as by any Spiritual or Ecclesiastical Power or Authority hath heretofore been, or may lawfully be exercised, or used for the Visitation of the Ecclesiastical State and Persons, and for Reformation, Order and Correction of the same, and of all manner of Errors, Heresies, Schisms, Abuses, Offences, Contempts and Enormities shall for ever, by Authority of this present Parliament, be United and Annexed to the Imperial Crown of this Realm.* From these words, That such Jurisdiction, &c. as by any Spiritual or Ecclesiastical Power or Authority had then-to-fore been exercised or used, were annexed to the Crown; I observe, That the Four things aforesaid, wherein the Pope had incroached, were all restored to the Crown; and likewise all other Ecclesiastical Jurisdiction that had been exercised or used in this Kingdom, and did thereby become absolutely vested in the Crown.

Then *Section 18.* gives a Power to the Crown to assign Commissioners to exercise this Ecclesiastical Jurisdiction in these words; *And that Your Highness, Your Heirs and Successors, Kings or Queens of this Realm, shall have full Power and Authority, by Vertue of this Act, by Letters Patents under the Great Seal of England, to Assign, Name and Authorize when and as often as Your Highness, Your Heirs or Successors shall think meet and convenient, and for such and so long time as shall please Your Highness, Your Heirs or Successors, such Person or Persons, being natural born Subjects to Your Highness, Your Heirs or Successors, as Your Majesty, Your Heirs or Successors shall think meet to exercise, use, occupy and execute under Your Highness, Your Heirs and Successors, all manner of Jurisdctions, Priviledges and Prebeminences in any wise touching or concerning any Spiritual or Ecclesiastical Jurisdiction within these Your Realms of England and Ireland, or any other Your Highness's Dominions and Countries; (2.) and to Visit, Reform, Redress, Order, Correct and Amend all such Errors, Heresies, Schisms, Abuses, Offences, Contempts and Enormities whatsoever, which by any manner of Spiritual or Ecclesiastical Power, Authority or Jurisdiction can or may lawfully be Reformed, Ordered, Redressed, Corrected, Restrained or Amended, to the pleasure of*  
*Almighty*

*Almighty God, the increase of Vertue, and the conservation of the Peace and Unity of this Realm; (3) And that such person or persons so to be named, assigned, authorized and appointed by your Highness, your Heirs or Successors after the said Letters Patents to him or them made and delivered, as is aforesaid, shall have full Power and Authority by vertue of this Act and of the said Letters Patents under your Highness, your Heirs and Successors to exercise, use and execute all the premises according to the tenor and effect of the said Letters Patents, any matter or cause to the contrary in any wise notwithstanding.*

So that, I take it, that all manner of Ecclesiastical Jurisdiction was in the Crown by the Common Law of England, and declared to be so by the said Act of 1 Eliz. 1. and by that Act a power given to the Crown to assign Commissioners to Exercise this Jurisdiction; which was accordingly done by Queen Eliz. and a High Commission Court was by her Erected; which were and held Plea of all Causes, Spiritual and Ecclesiastical during the Reign of Queen Eliz. King James the first, and King Charles the first, till the 17 year of his Reign.

Which leads me to consider the Statute of 17 Car. 1. ca. 11. which Act recites the Title of 1 Eliz. ca. 1. and Sect. 18. of the same Act, and recites further, Section 2. That *whereas by colour of some words in the aforesaid branch of the said Act, whereby Commissioners are Authorized to execute their Commission according to the tenor and effect of the Kings Letters Patents, and by Letters Patents grounded thereupon, the said Commissioners have to the great and insufferable Wrong and Oppression of the Kings Subjects used to Fine and Imprison them, and to exercise other Authority, not belonging to Ecclesiastical Jurisdiction restored by that Act, and divers other great Mischiefs and Inconveniences have also ensued to the Kings Subjects by occasion of the said Branch, and Commissions issued thereupon, and the executions thereof: Therefore for the suppressing and preventing of the aforesaid abuses, Mischiefs and Inconveniences in time to come, (by Sect. 3. the said Clause in the said Act 1 E. 1. is Repealed with a Non obstante to the said Act in these words) Be it Enacted by the Kings most excellent Majesty, and the Lords and Commons in this present Parliament Assembled, and by the Authority of the same, That the aforesaid Branch, Clause, Article or Sentence contained in the said Act, and every word, matter and thing contained in that Branch, Clause, Article or Sentence shall from henceforth be Repealed, Annulled, Revoked, Annihilated and utterly made Void for ever; any thing in the said Act to the contrary in any wise notwithstanding.*

And in Sect. 5. of the same Act it is Enacted, That from and after the First of August, (in the said Act mentioned) all such Commissions shall be void, in these words, *And be it further Enacted, That from and after the said First day of August no new Court shall be erected, ordained or appointed within this Realm of England, or Dominion of Wales, which shall or may have the like Power, Jurisdiction or Authority as the said High Commission Court now hath or pretendeth to have; but that all and every such Letters Patents, Commissions and Grants, made or to be made by his Majesty, his Heirs or Successors; and all Powers and Authorities, Granted or pretended, or mentioned to be granted thereby; And all Acts Sentences and Decrees to be made, by vertue or colour thereof, shall be utterly void and of none effect.*

By which Act then, the power of Exercising Ecclesiastical Jurisdiction by Commissioners, under the Broad-Seal, is so taken away, that it provides, no such power shall ever for the future be Delegated by the Crown, to any Person or Persons whatsoever.

Let us then in the last place consider, Whether the Act of 13 Car. 2. ca. 12. hath Restored this Power or not?

And for this, I take it, that it is not restored by the said Act, or any Clause in it; and to make this evident, I shall first set down the whole Act and then consider it in the several Branches of it, that relate to this matter: The Act is Entituled,

*An Act for Explanation of a Clause contained in an Act of Parliament made in the 17th Year of the Late King Charles, Entituled, An Act for Repeal of a Branch of Statute in primo Elizabethæ, concerning Commissioners for Causes Ecclesiastical.*

The Act it self runs thus, *Whereas in an Act of Parliament made in the Seventeenth Year of the Late King Charles, Entituled, An Act for Repeal of a Branch of a Statute primo Elizabethæ, concerning Commissioners for Causes Ecclesiastical, it is (amongst other things) Enacted, That no Arch-bishop, Bishop nor Vicar-General, nor any Chancellor, nor Commissary of any Arch-bishop, Bishop or Vicar-General, nor any Ordinary whatsoever, nor any other Spiritual or Ecclesiastical Judge, Officer or Minister of Justice, nor any other person or persons whatsoever, exercising Spiritual or Ecclesiastical Power, Authority, or Jurisdiction, by any Grant Licence, or Commission of the Kings Majesty, His Heirs or Successors, or by any Power or Authority derived from the King, his Heirs or Successors, or otherwise, shall (from and after the First Day of August which then should be in the Year of our Lord God,*

One thousand six hundred forty one.) Award, Impose or inflict any Pain, Penalty, Fine, Amercement, Imprisonment, or other Corporal Punishment upon any of the Kings Subjells, for any Contempt, Misdemeanor, Crime, Offence, Matter or Thing whatsoever, belonging to Spiritual or Ecclesiastical Cognizance or Jurisdiction; (2) Whereupon some doubt hath been made that all ordinary power of Coertion and proceeding in Causes Ecclesiastical were taken away, whereby the ordinary course of Justice in Causes Ecclesiastical hath been obstructed. (3.) Be it therefore Declared and Enacted by the Kings most Excellent Majesty, by and with the Advice and Consent of the Lords and Commons in this present Parliament Assembled, and by the Authority thereof, That neither the said Act nor any thing therein contained, doth or shall take away any ordinary Power or Authority from any of the said Arch-bishops, Bishops, or any other person or persons, named as aforesaid, but that they and every of them, Exercising Ecclesiastical Jurisdiction, may Proceed, Determine, Sentence, Execute and Exercise all manner of Ecclesiastical Jurisdiction, and all Censures and Coertions appertaining and belonging to the same, before any making of the Act before recited, in all Causes and Matters belonging to Ecclesiastical Jurisdiction, according to the Kings Majesties Ecclesiastical Laws used and practised in this Realm, in as ample Manner and Form as they did and might lawfully have done before making of the said Act.

SECT. 2. And be it further Enacted by the Authority aforesaid, That the afore recited Act of Decimo Septimo Car. and all the Matters and Clauses therein contained (excepting what concerns the High-Commission Court, or the new Erection of some such like Court by Commission) shall be and is thereby Repealed to all intents and purposes whatsoever, any thing, clause or sentence in the said Act contained to the contrary notwithstanding.

SECT. 3. Provided always, and it is hereby Enacted, That neither this Act nor any thing herein contained shall extend, or be construed to revive, or give Force to the said Branch of the said Statute made in the said First Year of the Reign of the said Late Queen Elizabeth mentioned in the said Act of Parliament made in the said Seventeenth Year of the Reign of the said King Charles; but that the said Branch of the said Statute made in the said First Year of the Reign of the said Late Queen Elizabeth shall stand and be Repealed in such sort as if this Act had never been made.

SECT. 4. Provided also, and it is hereby Enacted, That it shall not be lawful for any Arch-bishop, Bishop, Vicar-General, Chancellor, Commissary, or any other Spiritual or Ecclesiastical Judge, Officer, or

Minister, or any other person having or exercising Spiritual or Ecclesiastical Jurisdiction, to Tender or Administer unto any person whatsoever, the Oath usually called the Oath Ex Officio, or any other Oath whereby such person to whom the same is tendered or Administred, may be charged or compelled to Confess or Accuse, or to purge him or her self of any Criminal matter or thing whereby he or she may be liable to Censure or Punishment; any thing in this Statute, or any other Law, Custom or Usage hertofore to the contrary hereof in any wise notwithstanding.

SECT. 5. Provided always, That this Act or any thing therein contained shall not extend, or be construed to extend, to give unto any Arch-bishop, Bishop, or any other Spiritual or Ecclesiastical Judge, Officer or other person or persons aforesaid, any Power or Authority to Exercise, Execute, Inflict or determine any Ecclesiastical Jurisdiction, Censure, or Coertion, which they might not by Law have done before the Year of our Lord 1639. (2) Nor to Abridge or Diminish the Kings Majesties Supremacy in Ecclesiastical Matters and Affairs, nor to confirm the Canons made in the Year 1640. nor any of them, nor any other Ecclesiastical Laws or Canons not formerly Confirmed, Allowed or Enacted by Parliament, or by the Established Laws of the Land, as they stood in the Year of our Lord 1639.

From the Title of the Act, and the Act itself considered, I gather,

First, That it is an Explanatory Act of the 17. of Car. 1. as to one particular Branch of it, and not introductive of any new Law.

Secondly, That the occasion of making it was not from any doubt that did arise, Whether the High-Commission Court were taken away? or Whether the Crown had power to Erect any such-like Court for the future, but from a doubt that was made that all ordinary Power of Coertion, and proceedings in Causes Ecclesiastical was taken away, whereby Justice in Ecclesiastical Matters was obstructed; and this doubt did arise from a Clause in 17 Car. 1. ca. 11. SECT. 4. herein mentioned to be recited in the said Act of 13 Car. 2. ca. 12.

Thirdly, That this Statute of 13 Car. 2. ca. 12. as appears upon the face of it, was made to the intent the ordinary Jurisdiction which the Bishops and other Ecclesiastical persons had always exercised under the Crown, might not be infringed; but not to restore to the Crown the power of Delegating the Exercise of Ecclesiastical Jurisdiction by Letters Patents to Lay persons or any others, and as to this nothing can be plainer than

the words of the Act it self, *Señ. 2.*

Whereby 17 Car. 1. is repealed, but takes particular care to except what concerned the High-Commission Court or the new erection of some such Court by Commission.

Neither did the Law-makers think this Exception in that Statute of 13 Car. 2. ca. 12. *Señ. 2.* to be sufficient, but to put the matter out of all doubt, in the Third Section of the same Statute, It is provided and Enacted, That neither that Act nor any thing therein contained, should extend or be construed to revive, or give force to the Branch of 1 Eliz. 1. *Señ. 18.* but that the same Branch should stand absolutely Repealed. And if so, then the power of the Crown to delegate the Exercise of Ecclesiastical Jurisdiction is wholly taken away; for it was vested in the Crown by 1 Eliz. 1. and taken away by 17 Car. 1. ca. 11. and is in no manner restored by 13 Car. 2. ca. 12. or any other.

But there may arise an Objection from the words in the Statute of 13 Car. 2. ca. 12. that saith, That that Act shall not extend to abridge or diminish the Kings Majesties Supremacy in Ecclesiastical Matters and Affairs. Whence some Men would gather, That the same Power still remains in the Crown that was in it before 17 Car. 1. ca. 11.

To which Objection I give this Answer, That every Law is to be so construed, that it may not be *Felo de se*, and that, for the honour of the Legislators, King, Lords, and Commons. Now I

would appeal to the Gentlemen themselves that assert this Doctrine, Whether they can so construe the Act of 13 Car. 2. ca. 12. as they pretend to do, without offering violence to their own Reason? For when the 1 Car. 1. ca. 11. had absolutely Repealed the Branch of 1 Eliz. 1. that vested the power in the Crown of Delegating the Exercise of Ecclesiastical Jurisdiction, and Enacts, That no such Commission shall be for the future; and the Act of 13 Car. 2. ca. 12. Repeals the 17 Car. 1. ca. 12. except what relates to that particular Branch, there can no more of the King's Supremacy in Ecclesiastical Matters and Affairs, be saved by the saving in the 13 Car. 2. ca. 12. but what was left in the Crown by 17 Car. 1. ca. 11.

And now I hope I have sufficiently evinced, That all the Proceedings before the Ecclesiastical Commissioners are *CORAM NON JUDICE*; and therefore have sufficient Reason to believe, That the same would never have been set on foot by his present Majesty (who had always the Character of *JAMES the Just*, and hath Promised upon his Royal Word, That he will invade no Mans Property) had he not been Advised thereunto by them who are better versed in the Canons of the Church of *ROME*, than in the Laws that relate to the *CROWN* and *CHURCH* of *ENGLAND*.

*A LETTER of several French Ministers Fled into Germany upon the account of the PERSECUTION in France, to such of their Brethren in England as approved the Kings Declaration touching Liberty of Conscience.*

Translated from the Original in *French*.

**A**ltho' in our present Dispersion, most dear and honoured Brethren, it has pleased the Providence of God to conduct us into places very distant from one another: Yet that Union which ought always to continue betwixt us, obliges us to declare our sense to one another with a Christian and Brotherly Freedom upon all occa-

sions, that may present themselves to us so do. 'Tis this makes us hope that you will not take it amiss of us, if at this time we deliver our Opinions to you touching the Affairs of *England* in matters of Religion, and with reference to that Conduct which you have observed therein.

We ought not to conceal it from you, That the greatest



greatest part of the Protestants of Europe have been extremely scandalized to understand, that certain among you, after the example of many of the Dissenters, have Addressed to the King of England, upon the account of his Declaration, by which he has granted Liberty of Conscience to the Non-conformists: And that some others who had already ranked themselves under the Episcopal Communion, nevertheless published the said Declaration in their Churches; and this at a time when almost all the Bishops themselves with so much Firmness and Courage refused to do it.

If we may be permitted to tell you freely what our Opinion is concerning the conduct of the Bishops and of the Dissenters in this conjuncture, we shall make no difficulty to pronounce in favour of the former. We look upon it that they have exceedingly well answered the Duty of their Charge, whilst despising their own private Interest, they have so worthily supported that of the Protestant Religion: Whereas the others, for want of considering these things as they ought to have done, have given up the interest of their Religion to their own particular advantages.

It is not out of any complement to the Bishops, much less out of any enmity to the Dissenters, that we make such different judgments concerning them. We know well enough how to commend or blame, what seems to us to deserve our Praise, or our Censure both in the one and in the other. We do not at all approve the conduct of the Bishops towards the Dissenters under the last Reign. And altho' we do not any more approve that of the Dissenters in separating from their Communion, yet we do confess they had some reason in the bottom for it; and that the Ceremonies which they have refused to submit to, are the Remains of Popery, which we could rather wish might have been entirely abolished. In this unhappy Schism which has so long time rent the Church of England, we look upon it, that both Parties have been equally defective in their Charity. On the one side, the Dissenters ought by no means to have separated themselves for the Form of Ecclesiastical Government, nor for Ceremonies which do not at all concern the Fundamentals of Religion. On the other side, The Bishops should have had a greater Condescension to the Weakness of their Brethren: And without doubt they would have acted in a manner more agreeable to the Spirit of the Gospel, if instead of treating them with so much rigour as they did, they had left them the

Liberty of serving God according to their Conscience, till it should have pleased him to re-unite All under the same Discipline. However the Conformity of Opinion between the Dissenters and Us, ought to have prejudiced Us in their favour, had we been capable of Partiality on this occasion. There is also another thing which might have disposed us to judge less favourably of the Bishops than of them, and that is the Yoke which they have imposed upon the French Ministers by obliging them to receive a second Ordination before they could be permitted to Exercise their Ministry in the Church of England, as if the Ordination they had received in France had not been sufficient. But we must do Justice to all the World, and bear Witness to the Truth. We have already said, and we must again repeat it: It seems to us that on this last Occasion the Bishops have discharged their Duty, and are most worthy of Praise, whereas the Dissenters on the contrary are extremely to be blamed. And we will presently offer our Reasons wherefore we judge so of the one, and of the other.

In the mean time, most dear Brethren, give us leave freely to tell you, That if our Brethren the Dissenters of England, who have Addressed to the King, are to be blamed (as we verily believe they are) you certainly are much more to be condemned. The Hardships under which they had lived for many years without Churches, without Pastors, without Assemblies, made them think the Liberty of Conscience which was offered to them, a great Ease. Their Spirits, soured and prejudiced by the ill Treatments they had received from the Church of England, had not freedom enough to let them see that the Present which was made them was Empoison'd. And therefore upon the sudden they received it with joy, and thought themselves obliged to testify their Acknowledgment of it. But for you who never had any part in the Divisions of the Church of England, and who by consequence were in a state to judge more soundly of things, How is it that you should not have perceived the Poison that was hid under the Liberty of Conscience offered to them? Or if you did not perceive it of your selves, how is it that the Generous Refusal of the Bishops, tho' at the peril of their Liberty and Estates, to publish the Declaration in their Diocesses, should not at least have open'd your eyes?

How have those Venerable Prelates now highly justified themselves from the Reproach that was laid

laid upon them of being Popishly affected, and of persecuting the Dissenters only, but of a secret Hatred to the Reformation? How well have they made it appear that these were only Calumnies invented by their Enemies to render them odious to the Protestants, and that their hearts were truly fixed to the Reformed Religion, and animated with a Zeal worthy Primitive Bishops? Could you see those faithful Servants of God disobey the Order of their Sovereign, expose themselves thereby to his Disgrace, suffer Imprisonment, and prepare themselves to suffer any thing, rather than betray their Consciences and their Religion, without admiring their Constancy, and being touched with their Examples? But above all, could you resolve by your Conduct to condemn that of those generous Confessors? Is this the Acknowledgment which you ought to have made to them for that Charity, with which they had received and comforted you in your Exile? Is this to Answer the Glorious Quality of Confessors, of which you so much vaunt your selves? Is this the Act of Faithful Ministers of Christ? Give us leave to tell you, most dear Brethren, your Proceedings in this Affair appear so very strange to us, that we cannot imagine how you were capable of so doing. It seems to us to have even effaced all the Glory you had attained by your Sufferings, to Reproach your Ministry, and to be unworthy of True and Reformed Christians.

This is no rash judgment which we pass; and to convince you that it is not, we beseech you only to examine these things with us without Prejudice and Interest.

The Declaration of which we speak is designed for two purposes: The one, the re-establishment of Popery. The other, the extinction of the Reformed Religion in *England*. The former of these designs appears openly in it. The second is more concealed; 'tis a Mystery of Iniquity, covered over with a specious appearance; and of which the trace must be concealed till the time of manifestation comes. We will say nothing of a third Design, which is, Of the Oppression of the Liberties of *England* for the Establishment of an absolute Authority, but shall leave it to the Politicians to make their Reflexions upon it. As for us, if we sometimes touch upon it, it shall be only with reference to Religion: We will apply our selves chiefly to the two other Designs which they proposed to themselves who made that Declaration.

It cannot be deny'd but that by this Declara-

tion, there is a Liberty of Conscience granted indifferently to the Papists and to the Dissenters. It comprehends both the one and the other under the Name of Nonconformists. And we may with confidence affirm, That they were the Papists especially whom the King had in his eye when he gave this Declaration. And howsoever he may pretend to have been touched with the Oppressions which the Dissenters had suffered; yet that his principal design was to re-establish Popery.

Behold here already a very great evil, and such as all true Protestants are obliged with their utmost power to oppose. What, shall we see Popery, that abominable Religion, that prodigious heap of Filthiness and Impurity, re-establish it self, with all its honours, in Kingdoms from which the Reformation had happily banished it? And shall there be found in those Kingdoms Protestants who not only stand still without making any opposition to it, but e'en favour its re-establishment, and openly give it their Approbation? Who could have thought that the Dissenters of *England*, Men who have always testified so great an aversion to the *Roman* Religion; and who have no other pretence to separate from the Bishops, than that they have in part retained in their Government and Ceremonies the Exteriors of that Religion, should now themselves joyn to bring it intirely in? But above all, Who could have believed that the *French* Ministers, who after having experimented all the Fury of Popery in *France*, were at last banished, rather than that they would subscribe to its Errors and Abuses: And for this very cause fled into *England*, that they might there more freely profess the Protestant Religion, should now contribute to re-establish Popery in their new Country, where they had been received by their Brethren with so singular a Charity? Would you indeed, Gentlemen, see *England* once more submitted to the Tyranny of the Pope, whose Yoke it so happily threw off in the last Age? Would you there see all those monstrous Doctrines, all those Superstitions, and that horrible Idolatry which reigned there before the Reformation, domineer once more in it? Would you that the People should again hear the Pulpits and the Churches sounding out the Doctrins of Purgatory, of Indulgences, of the Sacrifice of the Mass, &c. and see the Images and Reliques of the Saints carried solemnly in Procession, with a God formed by the hand of Man? And that in fine, they should again publicly adore those vain Idols? We are confident there is not a good

good Protestant in the World that would not startle but at the thought of it.

But this is not yet all. The Declaration of which we speak does not only re-establish Popery with all its abominations, but does moreover tend to the Ruine of the Reformation in *England*. A Man need not to have any great Sagacity to be convinced of this. And that as much as it seems to establish for ever the Protestant Religion in that Kingdom, it does on the contrary destroy the very Foundations of it.

The ground upon which the Reformation is founded in *England*, are the Laws which have been made at several times for the settlement of it, and to abolish either the Tyranny of the Pope, or the Popish Religion altogether. And as these Laws have been made by the King and Parliament together, so that the King has not the power to Repeal them without a Parliament, they secure the Protestant Religion against the Enterprizes of such Kings as should ever think to Destroy it.

But now if this Declaration be executed, we are no more to make any account of those Solemn Laws which have been passed in favour of the Reformation; they become of no value, and the Protestant Religion is intirely left to the King's Pleasure. This is what will clearly appear from what we are about to say.

The King not having been able to obtain of the last Parliament to consent to a Repeal of the Laws which had been made against the Nonconformists, dissolved the Parliament it self. Not long after, without attending a new one, he did that alone by his Declaration which the Parliament would not do conjunctly with him. He granted a full Liberty of Conscience to the Nonconformists, he freed them from the Penalties which had been appointed against them, and dispensed with the Oaths to which the Laws obliged all those who were admitted to any Charges, whether in the Souldiery, or in administration of Justice, or of the Government. In pursuance of these Declarations, he threw the Protestants out of all Places of any great Importance, to clap in Papists in their room, and goes on without ceasing to the intire Establishment of Popery. Who does not see, that if the Protestants approve these Declarations, and themselves authorize such Enterprizes, the King will not stop here, but that this will be only one step to carry him much further? What can be said when he shall do the same thing with re-

ference to those Laws which exclude the Papists out of the Parliament, that he has done to those which shut them out of all Charges and Employs, and forbad them the Exercise of their Religion? Does not the approbation of such Declarations, as it overthrows these last, carry with it before-hand the approbation of those which shall one day overthrow the former? And if the King shall once give himself the Authority to bring Papists into the Parliament, who shall hinder him from using Solicitations, Promises, Threatnings, and a thousand other the like means to make up a Popish Parliament? And who shall hinder him with the concurrence of that Parliament to repeal all the ancient Laws that had been passed against Popery, and make new ones against the Protestants? These are without doubt the natural Consequences of what the King at this time aims at. These are the fruits which one ought to expect from it, if instead of approving, as some have done, his Enterprizes against the Laws, they do not on the contrary with all imaginable Vigor oppose them.

Reflect a little on what we have here said, and you will confess that we have reason to commend the Conduct of the Bishops who refused to publish the Declaration, and to condemn those Dissenters who have made their Addresses of Thanks for it.

It is true, that the Dissenters are to be pitied, and that they have been treated hardly enough; and we do not think it at all strange, that they so earnestly sigh after Liberty of Conscience. It is natural for Men under Oppression to seek for Relief; and Liberty of Conscience considered only in it self, is, it may be, the Thing of all the World the most precious and most desirable. Would to God we were able to procure it for them by any lawful means, and without such ill Consequences, tho' it were at the peril of our Lives! But we conjure them to consider how pernicious that Liberty of Conscience is which is offer'd to them, as we have just now shewn. On the one side, it is inseparably linked with the Establishment of Popery; and on the other, it cannot be accepted without approving a terrible Breach, which his Majesty thereby makes upon the Laws, and which would be the ruine of the Reformation in his Kingdoms, were not some Remedy brought to it. And where is the Protestant who would buy Liberty of Conscience at so dear a rate, and not rather chuse to continue deprived of it all his Life?

Should the private Interest of our Brethren the Dissenters blind them in such a manner, that they have no regard to the general Interest of the Church? Should they, for enjoying a Liberty of Conscience so ill assured, shut their Eyes to all other Considerations? How much better would it be for them to re-unite themselves to the Bishops, with whom they differ only in some Points of Discipline; but especially at this time, when their Conduct ought to have entirely defaced those unjust Suspicions which they had conceived against them? But if they could not so readily dispose themselves to such a Re-union, would it not be better for them to resolve still to continue without Liberty of Conscience, and expect some more favourable time when they may by lawful means attain it, than to open themselves a Gate to Popery, and to concur with it to the Ruine of the Protestant Religion?

You will, it may be, tell us, that it looks ill in us, who so much complain, That we have been deprived of Liberty of Conscience in *France*, to find fault with the King of *England* for granting it to his Subjects: And that it is the least that can be allowed to a Sovereign, to allow him the Right to permit the exercise of his own Religion in his own Kingdoms, and to make use of the Service of such of his Subjects as himself shall think fit, by putting them into Charges and Employments. You will add, That his Majesty does not go about neither to abrogate the ancient Laws, nor to make new ones. All he does being only to dispence with the Observation of certain Laws in such of his Subjects as he thinks fit, and for as long time as he pleases; and that the right of dispensing with, and suspending of Laws, is a Right inseparably tied to his Person: That for the rest, the Protestant Religion does not run the least Risque. There are Laws to shut the Papists out of Parliament, and these Laws can neither be dispensed with, nor suspended: So that the Parliament partaking with the King in the Legislative Power, and continuing still Protestant, there is no cause to fear, that any thing should be done contrary to the Protestant Religion. Besides, What probability is there, that a King who appears so great an Enemy to Oppression in matters of Conscience and Religion, should ever have a thought, tho' he had the Power himself, to oppress in this very matter the greatest part of his Subjects; and take from them that Liberty of Conscience which he now

grants to them, and which he promises so inviolably to observe for the time to come?

These are all the Objections that can with any appearance of Reason be made against what we have before said. They may all be reduced to five, which we shall examine in their order. And we doubt not but we shall easily make it appear, that they are all but meer Illusions.

1. We do justly complain, That they have taken from us our Liberty of Conscience in *France*, because it was done contrary to the Laws. And one may as justly complain that the K. of *England* does labour to re-establisb Popery in his Country, because he cannot do it but contrary to the Laws. Our Liberties in *France* were founded upon solemn Laws, upon perpetual, irrevocable, and sacred Edicts, and which could not be recalled, without violating at once the Publick Faith, the Royal Word, and the Sacredness of an Oath. And Popery has been banished out of *England* by Laws made by King and Parliament, and which cannot be repealed but by the authority of King and Parliament together; so that therefore there is just cause to complain, that the King should go about to overthrow them himself alone by his Declaration.

2. It is not true that a Sovereign has always the right to permit the Exercise of his own Religion in his Dominions, and to make use of the Service of such of his Subjects as he himself shall think fit, that is to say, by putting of them into Charges and Employments: And in particular, he has not this right, when the Laws of his Country are contrary thereunto, as they are in the case before us: Every King is obliged to observe the fundamental Laws of his Kingdom. And the King of *England*, as well as his Subjects, ought to observe the Laws which have been established by King and Parliament together.

3. For the third, the distinction between the abrogation of a Law, and the dispensing with, and suspending of it, cannot here be of any use; whether the King abrogates the Laws which have been made against Popery, or whether without saying expressly that he does abrogate them, he overthrows them by his Declarations, under pretence of dispensing with, or suspending of them; it is still in effect the same thing. And to what purpose is it that the Laws are not abrogated, if in the meantime all sorts of Charges are given to Papists,

and Popery it self be re-established contrary to the tenor of the Laws? The truth is, if the King has such a power as this, if this be a Right necessarily tied to his Person, 'tis in vain that the Parliament does partake with him in the Legislature. This Authority of the Parliament is but a meer Name, a Shadow, a Phantom, a Chimera, and no more. The King is still the absolute Master, because he can alone, and without his Parliament, render useles by his Declarations, the Laws which the Parliament shall have the most solemnly established together with him. We confess the King has Right of dispensing in certain Cases, as, if the Concern be what belongs to his private Interest, he may without doubt whenever he pleases, depart from his own Rights; 'tis a Liberty which no body will pretend to contest with him. But he has not the power to dispense to the Prejudice of the Rights of the people, nor by consequence put the Property, the Liberty, and the Lives of his Protestant Subjects into the hands of Papists.

4. What we have now said in Answer to the third Objection, will be more clear from the Answer we are to give to the fourth. They would persuade the Protestants that their Religion is in safety, because on the one side the King cannot make Laws without the Parliament; and that on the other, there being Laws which exclude Papists out of the two Houses, it must necessarily follow, That the Parliament shall continue to be Protestant. But if the King has the power to break through the Laws, under the pretence of dispensing with, and suspending of them, what Security shall the Protestants have that he will not dispense with the Papists, the Observation of those Laws which do exclude them out of the Parliament, as well as he has dispensed with those that should have kept them out of Charges and Employments? What Security shall they have, that he will not at any time hereafter suspend the Execution of the former, as he has already suspended the Execution of the latter? Which being so, what should hinder us from seeing in a little time a Popish Parliament, who, together with the King, shall pass Laws contrary to the Protestant Religion? What difference can be shewn between the one and the other of these Laws, that the one should be liable to be dispensed

with and suspended, and the other not? Were they not both established by the King and Parliament? Were not both the one and the other made for the Security of the Protestant Religion, and of those who profess it? Are not the Rights of the people concerned in the one as well as in the other? And whosoever suffers and approves the King in the violation of these Rights in some things, does he not thereby authorize him to violate them in all? If the King has power to put the Liberty and property, and Lives of his Protestant Subjects at the mercy of the Papists, by placing them in Charges contrary to the Law, why should he not have the power to raise the same Papists to the Authority of Legislators, by declaring them capable of sitting in Parliament; seeing that is but contrary to Law? Do not deceive your selves, the Laws are the Barrier which bound the Authority of the King, and if this Barrier be once broken, he will extend his Authority as far as he pleases. And it will be impossible for you after that to set any bounds to it.

5. In fine, he must be very little acquainted with the Spirit of Popery, who imagins that it will be content to re-establish it self in *England*, without aiming to destroy the Protestant Religion. Give it but Time and Opportunity to fortifie it self, and you may then expect to see what it is. In all places where it has got the power in its hands, it will not only rule, but rule alone, and not suffer any other Religion besides it self; and employs the Sword and Fire to extirpate that which it calls Heresie. Were not this a Truth confirmed by infinite Examples both ancient and modern, which every one knows who has read any thing of History, it would be too much evidenced by the Cruelties which it has so lately exercised against the Churches of *Hungary*, of *France*, and of the Vallies of *Piemont*. And men ought not to be lulled asleep by the pretence of an Inclination which the King of *England* would be thought to have for Liberty of Conscience, nor by the Promises which he makes to perseve it to all his Subjects without distinction. Every one knows that perfidiousness and breach of Faith, are Characters of Popery no less essential to it than Cruelty. Can you doubt of this, Gentlemen? you who so lately came from making  
a fact



▪ sad Experiment of it? How often did our King promise us to preserve us in our Priviledges? How many Declarations? How many Edicts did he set out to that purpose? How many Oaths were taken to confirm those Edicts? Did not this very King *Lewis XIV.* himself solemnly promise by several Edicts and Declarations to maintain us in all the Liberties which were granted to us by the Edict of *Nantes*? And yet after all, what scruple was there made to violate so many Laws, so many Promises, and so many Oaths? The Protestants of *England* have themselves also sometimes likewise experimented the same Infidelity: And not to alledge here any other Example, let us desire them to remember only the Reign of Queen *Mary*, what promises she made at her coming to the Crown, not to make any change of Religion; and yet what bloody Laws she afterwards passed to extinguish the Reformation as soon as she saw her self fast in the Throne? And with that inhumanity she spilt the Blood of her most faithful Subjects to accomplish that design. After such an instance as this, a man must be very credulous indeed, and willing to deceive himself, that will put too much confidence in the promises of the King that now reigns. Do we not know, that there are neither Promises nor Oaths which the Pope does not pretend to have power to dispense with in those whom he employs for the Extirpation of Heresie? And do we not also know, that it is one of the great Maxims of Popery, a Maxim authorized both by the Doctrine and Practice of the Council of *Constance*, That they are not obliged to keep any Faith with Hereticks. We ought not to believe that King *James II.* a Prince who has so much Zeal for Popery, should be

governed by any other Maxims than those of his Religion. And whosoever will take the pains to examine his Conduct, both before and since his coming to the Crown, will find that he has more than once put 'em in practice.

And this, Gentlemen, we suppose may be sufficient to convince all reasonable persons, that there is nothing more pernicious than that Declaration which you have approved; whether by publishing it, as some of you have done, or by addressing to the King to thank him for it. When you shall have reflected upon these things, you will without doubt your selves confess, that you have suffered your selves to be amused with some imaginary advantages which you hope to make by this Declaration. In the mean time, most dear Brethren, you will pardon us, if we have chanced to have let any thing slip that is not agreeable to you. We had no Design to give the least Offence either to you, or to our Brethren the Dissenters of *England*. If we have spoken our Thoughts freely of your Conduct, and of theirs, we have at least spoken with no less liberty of that of the Bishops. And God is our Witness, that we have said nothing of the one or the other, but in the sincerity of our Heart, and out of a desire to contribute somewhat to his Glory, and the good of his Church. We are,

Most honoured Brethren,

Your most Humble, most Obedient,  
and most affectionate Brethren in  
Jesus Christ.

N. N.

Popish Treaties not to be rely'd on: In a Letter from a Gentleman at York, to his Friend in the Prince of ORANGE's Camp. Addressed to all Members of the next Parliament.

THE credulity and Superstition of Mankind hath given great Opportunities and Advantages to cunning *Knaves* to spread their Nets, and lay their Traps in order to catch easie and unwary creatures; these being led on by Ignorance, or Stupidity, they by Pride or Ambition, or else a Vile and Mercenary Principle; Therefore seeing we are in this state of Corruption, bred up to believe Contradictions and Impossibilities, led by the Nose with every State *Montebank*, and *Monkish Jugler*, moved like *Puppets* by Strings and Wires; it seems high time to vindicate Humane Nature, and to free her from these Shackles, laid upon her in the very Cradle: for Man (who ought to be a Free and Rational Animal) in his present state is only an *Engine* and *Machine*, contriv'd for the Vanity and Luxury of *Priests* and *Tyrants*, who claim to themselves, and seem to Monopolize the Divine Stamp, tho' we are all made of the same Materials, by the same Tools, and in the same Mould, equal by Nature, met together and link'd in Societies by mutual Contracts, plac'd by turns one above another, and entrusted for some time with the Power of executing our own Laws, and all by general consent for the Publick Good of the whole *Community*; this is the genuine Shape and Figure of Primitive and Sound Government, not distemper'd and fatally infected with the monstrous *Excessencies* of Arbitrary Power in one single Member above all the Laws of the whole; *Infallibility*, Divine Right, &c. started by *Knaves* and *Sycophants*, believ'd by *Fools*, who scarce ever heard of the *Greek* and *Roman* Histories, and never read their own. I shall therefore give some Examples (out of an infinite number) of People ruin'd and utterly destroy'd by their easie Credulity, and good Nature, matter of Fact being a stronger Proof, and better Rule to steer Mankind, than the empty Notions of the *Schools*, invented only to perplex and confound our Reasonation, lest it should discover the naked Truth

of things. The present Letter will confine it self only to Publick Promises, Oaths, and Solemn Contracts, scandalously violated by the *Roman Catholics*, nor with *Heathens* and *Hereticks* only, but amongst themselves: We will begin with the more remote Countries.

The *Spaniards* and *Portugueses* have acted so treacherously with the *Africans*, and the Natives of both *Indies*, that the Cruelty of the History would be incredible, if it was not related by their own *Historians*; their Leagues and Treaties (the most sacred Bonds under Heaven) were soon neglected, and the Spirit of their Religion broke all before it; how many Millions of those innocent Creatures were murder'd in cold Blood, and for Pastime sake, with all the variety of Torments that the Devil could inspire into them? how soon were the vast Regions of *Mexico*, *New Spain*, *Pern*, *Hispaniola*, *Brasil*, &c. depopulated, above twenty Millions of the poor harmless Inhabitants being put to death in full Peace, and they the best natur'd People in the World, and very Ingenious; tho' they may seem Savages to a sort of Men, who think all *Barbarians* that differ from them in Habits, Manners, Customs, Diet, Religion, Language, &c. not considering that all-wise Nature hath contriv'd a different Scene of things for various Climates? Nay, such is the Inhumanity of these *Catholick* Nations here at home, that they will frequently bring Strangers (settled amongst them by the Laws of Commerce) and their own fellow Subjects into the *Inquisition*, especially if they are Rich, upon a pretence of some Heretical opinion, tho' they themselves at first protect and license the Opinion; as in the case of *Molino*, whose Book had receiv'd an *Imprimatur* from most of the *Inquisitors* of *Spain* and *Italy*, and even from the *Infalible Head* of the Church, yet afterwards it was burnt, and he himself together with many of his Followers miserably tortur'd; the *Pope* scarce escaping the Punishment.

nishment. The Generous Marshal *Sebomberg* (driven out of *France* for his great Services) who had won many Battels for the *Portugusses*, and sav'd their Country, could not be suffer'd to end his Old Age amongst them, but was forc'd in the midst of Winter to commit himself to the Sea, and fly to an inhospitable Shoar.

The present *French King* renounced all his Pretences on *Flanders*, concluded the *Pyrenean Treaty*, and swore at the Altar, not to meddle with that Country; but how well he observ'd that Sacred Covenant, *Baron D'Isola* will best inform you in his *Bouclier d'Etat*, for which he was thought to be poison'd; neither hath the *French Monarch* been contented to break all Faith and Measures with the *Spaniard*, but he hath gone about to deceive and ruine the *Pope*, *Emperour*, all the *Princes* and *Electours* of the Empire, the *Prince of Orange*, *Duke of Lorraine*, the *Switzers*, the *Dutch*, and the *English*, and not only these his Neighbours and Allies, but his own Protestant Subjects, who had all the Security that Solemn Edicts, Oaths, and Promises could afford them, besides many other obligations upon the Crown for bringing the King to the Throne; yet all of a sudden they found themselves oppress'd and destroy'd by his Apostolical *Dragoons*, their Temples razed, their Wives and Children taken away, their Goods and Estates confiscated, themselves cast into Prisons, sent to the Gallies, and often shot at like Birds: His seizing of *Lorraine*, *Franch Compté*, *Alsace*, *Strasbourg*, *Luxembourg*, the Principality of *Orange*, the County of *Avignon*, *Philipsburg*, the whole *Palatinate*, the *Electorates of Mentz*, *Trevis*, and *Cologne*, his building of Citadels in the Empire and in *Italy*, &c. are so contradictory to National Agreements, and Publick Treaties, that scarce a *Jesuit* or a *Frenchman* can have Impudence enough to defend them; a *Banditto*, a *Pirate*, or a *Pick-pocket* would be asham'd of such Actions; and an ordinary Man would be hang'd for a Crime a Million times less. His seizing upon *Hudson's Bay*, and leading the *English* into Slavery; the *French* Treachery in the Engagement at Sea between us and the *Dutch*, their frequent seizing of our Ships, are light things, not worthy our Resentment, being under the Conduct of a *Monsieur* whom the World so justly vilifies and despises.

The *Emperour* can have no good Pretence to condemn the *King of France*, or any other *Catholic* Prince for breach of Common Faith and Honesty, since he himself hath plaid the same Game with

his Protestant Subjects, inviting some of the Chief of the *Hungarian Nobility* to *Vienna*, under the colour of Treaty and Friendship, and then cutting off their Heads, seizing their Estates and Properties, destroying their Pastors and Churches, and extirpating the whole Reform'd Religion, after he had promis'd and stipulated to protect and give them the Liberty of their Consciences. The *Parisian Massacres* were carried on and executed under a Mask of Friendship, all the Principal Protestants of *France* being invited to the healing Marriage, to *Revel* and *Carels*, were Barbarously Butcher'd at the Toll of a Bell in their Beds, when they dream'd they slept securely. The *Irish Massacre* of above 200000 Protestants was no less Treacherous, it was a Copy of the *Spanish Cruelty* in the *West Indies*, to whom the *Irish* are compar'd by Historians for their Idleness and Inhumanity, tho' not for their Wit.

The Persecutions of the Protestants in the Valleys of *Piedmont*, are another instance of Popish Immanity and baseness; they were under the common shelter of publick Pactions and Treaties, and had been solemnly own'd by the *Dukes of Savoy*, to be the most Loyal and the most Courageous of their Subjects. The present *Duke*, who undertook this last Persecution, was not content to destroy them with his own Troops, but call'd in the *French* to assist at the Comedy, to shoot them off the Rocks, to hunt them over the *Alps*, and to sell the strongest of them to the Gallies, that the very *Turkish Slaves* themselves might deride and insult over them. *Catholics*, who have not Power or Opportunity to execute the same things, seem to condemn the Conduct in Publick, but sing *Te Deum* in Private, and as soon as ever they have got a sufficient Force, commit the like Barbarities, so essential to their Religion, that all the instinct of Nature cannot separate them. The *Holy Father* at *Rome* (tho' he sets up for a moderate and merciful *Pontificate*) order'd *Te Deum* to be Sung up and down, for the extirpation of Heresie out of *France* and *Piedmont*; and our *English Catholics* have given us (as their Army and Interest increas'd) several proofs, how well they can juggle and disguise themselves; setting up Courts of *Inquisition*, turning Protestants out of all Employments, and even out of their Freeholds, dispensing with Laws, Ravishing Charters, packing Corporations, &c. and all under a notion of Liberty or a Divine Right; they with their *Accomplices* defended illegal Declarations, and set up an Authority above all our Laws, under the Cloak of a sham Liberty of Conscience,

science, racking at the very same time the Consciences of the Church of *England* Men, and undermining the Foundation of our State: If Mr. *Pen* and his *Disciples*, had condemn'd the unlawfulness of the *Declarations* and the *Dispensing Power*, when they wrote so fast for Liberty of Conscience, they had then shew'd a generous Zeal for a just Freedom in matters of Religion, and at the same time a due veneration to the *Legislative Power*, (*Kings, Lords, and Commons*) but the secret of the *Machine* was to maintain and Erect a *Prerogative* above all Acts of *Parliament*, and consequently to introduce upon that bottom *Tyranny* and *Poper*y; yet notwithstanding all this uncontrollable Power, and shew of Grandeur, an Easterly Wind, and a Fleet of *Fly-Boats*, would cancel and undo all again. Our *Monkish* Historians relate of *King John*, that being in some distress, he sent *Sir Tho. Hardington*, and *Sir Ralph Fitz-Nichols*, Ambassadors to *Miramumalin* the great Emperour of *Morocco*, with offers of his Kingdom to him, upon Condition he would come and aid him, and that if he prevail'd he would himself turn *Mahometan* and renounce *Poper*y.

I will not insist upon the violations of Laws and Treaties in the Low *Countries*, or the *Spanish* Tyranny over them, because the *Spaniards* have got so much by that Persecution and Cruelty, that they might be tempted to practise the like again; for by forcing the *Netherlanders* to take up Arms for their defence, and by necessitating *Queen Elizabeth* or assist and preserve them, they have set up a Free and Glorious *State* (as they themselves have call'd them in some Treaties) that hath preserv'd the languishing Monarchy of *Spain*, and the Liberty of *Christendom*.

The base and cowardly *Massacre* of that great *Hero, William Prince of Orange*, of the Renowned *Admiral Coligny*, and the Prince of *Conde*; the many Bloody Conspiracies for the Extirpation of the whole Race of the House of *Orange*; The Murders of *Henry the 2d*, and *Henry the 4th*, are all Records and everlasting Monuments of *Popish* Barbarity. What incredible Effusion of Blood hath been occasion'd by the frequent revolts of the *Popes* against the Emperours, by the Image-Worship, and the Holy Wars? What Treachery in the *Bohemian* Transactions and Treaties? What Inhumanity in burning *Jerome of Prague*, and *John Hus*, when they had the Emperours Pass, and all other publick Securities from the Council it self, that put to Death those two Good Men.

The Reign of *Queen Mary*, is another Scene of the Infidelity and Treachery of the Church of *Rome*; what Oaths did she take? what Promises and Protestations did she make to the *Suffolk* Men who had set the Crown upon her head? and yet they were the first that felt the strokes of a Persecution from *Her*. Read her History in *Fox's Martyrs*, and *Doctor Burnet's* History of the Reformation.

The many Conspiracies to destroy *Queen Elizabeth* and *King James*, the *Gunpowder-Plot*, the Counsels carried on in *Popish* Countries to take off *King Charles* the First, and the many late *Popish* Plots, are a continued Series and Thred, carried on by the Church of *Rome*, to break thro' all Laws both of *God* and *Man*, to erect an Universal Monarchy of *Priest-Craft*; and to bring the whole World under their Yoke. The *Sweeds* have taken an effectual and commendable way to keep *Popish* *Priests* and *Jesuits* (those *Boutefeu*s and disturbers of Societies, the declared Enemies to the Welfare of Mankind) out of their Countries, by Gelding them, and consequently rendring them incapable of Sacerdotal Functions, tho' the *Priests* have found out a *Salvo*, and will say *Mass* and *Confess*, if they can procure their *Testicles* again, and carry them in their Pockets either preserv'd or in Powder. In *Ethiopia*, *China*, and *Japan*, the *Roman* *Priests* have been so intolerably turbulent, and such extravagant Incendiaries, that they have been often Banished and put to Death; so that now they disguise themselves all over the *Eastern* Nations, under the Names and Characters of *Mathematicians*, *Mechanicks*, *Physicians*, &c. and dare not own their Mission to propagate a *Faith* which is grown ridiculous all over *Asia*.

The long and dreadful Civil Wars of *France*, the many *Massacres* and *Persecutions*, and lastly, the Siege of *Rochel*, are living Instances how far we may rely upon Engagements and Laws, both as to the taking of that *Bulwark*, and the promised relief from hence. The *Protestant* Defenders of it, refusing to rely any longer upon Paper Edicts, and the Word of a Most *Christian King*, had this *City* granted them as a Cautionary Town for their Security, for before they had always been deluded out of their Advantages by fair promises, insignificant Treaties, and the word of a King; yet *Lewis* the 13. following the vitious Examples of Treacherous Princes, fell upon this Glorious *City*, which upon the account of their Laws and Privileges, made a resistance and brave defence, (having never heard of *Passive* Obedience amongst their

their Pastors) thinking it more lawful to defend their Rights, than it was for *Lewis* to invade them.

As for the late and present *Reign* here in *England*, they are too nice and tender things for me to touch; whether the *Transactions* of them are consistent with the *Coronation-Oaths*, the many *Declarations*, *Protestations*, publick and solemn Promises, I am no fit Judge; they are more proper for the Gravity of an Historian, or the Authority of a *Parliament* to handle, than for a private Gentleman in a Letter to his Friend: The Bishops Papers, and the P. of *Orange's Declarations* are the best *Memoirs* of them, but they only begin, where the two parts of the History of the growth of *Popery* and *Arbitrary Government* left off, and how far we may trust to *Catholick* Stipulations, Oaths, and Treaties, the facts of past and the present Age are the best *Criteria* and Rules to guide and determine us; for what happens every day, will in all probability happen to-morrow, the same Causes always produce the same Effects; and the Church of *Rome* is still the same Church it was a hundred years ago, that is, a Mass of Treachery, Barbarity, Perjury, and the highest Superstition; a *Machine* without any principle or settled Law of Motion, not to be mov'd or stop't with the weights of any private or publick *Obligations*; a *Monster* that destroys all that is sacred both in Heaven and Earth, so Ravenous that it is never content, unless it gets the whole World into its Claws, and tears all to pieces in order to Salvation; a *Proteus* that turns it self into all shapes, a *Chameleon* that puts on all Colours according to its present circumstances; this day an *Angel* of Light, to-morrow a *Beelzebub*. Amongst all the Courts of Christendom where I have conversed, that of *Holland* is the freest from Tricks and Falshood; and tho' I am naturally jealous and suspicious of the Conduct of *Princes*, yet I could never discover the least Knavery within those Walls, it appear'd to me another *Athens* of *Philosophers*, and the only Seat of *Justice* and *Virtue* now left in the World; as for the Character of the *Prince* of *Orange*, it is so faithfully drawn by Sir *Will. Temple*, Doctor *Burnet*, and in a half sheet lately printed, that I, who am so averse from Flattery, that I can scarce speak a good word of any Body, or think one ought of my self, will not write any further *gyrick* upon his *Highbness*, only that he is an Honest Man, a great *Souldier*, and a Wise *Prince*, upon whose Word the World may safely rely.

A late *Pamphlet* reviles the *Prince* with breaking his Oath when he took the *Statholder's* Office upon him, not considering that the Oath was impos'd upon his *Highbness* in his *Minority* by a *French Faction*, then jealous of the aspiring and true Grandeur of his *Young Soul*; that the *States* themselves (to whom the Obligation was made) freed his *Highbness* from the Bond; and that the necessity of Affairs, and the Importunities of the *People* forced that Dignity upon him, which his *Ancestors* had enjoy'd, and he so well deserv'd, that he sav'd the sinking Common-wealth (their *Provinces* being almost all surpriz'd and enslav'd by the *French*) compared to the gasping State of *Rome* after the loss of *Cannæ*: His *Highbness* was no more pult up with this Success, than he had been daunted with Hardships and Misfortunes; always the same *Hero*, Just, Serene, and Unchang'd under all Events, an Argument of the vastness of his Mind; whereas on the contrary, Mutability, (sometimes *Tyrant*, sometimes *Father* of a Country, sometimes *Hesitating*, other times *Sneaking*) is oftentime a Symptom of a Mean and Cowardly *Soul*, vile and disolute, born for Rapine and Destruction.

As for the *Princess*, she may without any flattery be stiled the Honour and Glory of her Sex; the most Knowing, the most Virtuous, the Fairest, and yet the best Natur'd *Princess* in the World; belov'd and Admir'd by her Enemies, never seen in any Passion, always under a peculiar Sweetness of Temper, extremely moderate in her Pleasures, taking delight in Working and in Study, Humble and Assable in her Conversation, very pertinent in all Questions, Charitable to all *Protestants*, and frequenting their Churches: The *Prince* is often seen with her at the Prayers of the Church of *England*, and she with the *Prince*, at the Devotion of his Church; she dispenses with the use of the Surplice, Bowing to the Altar, and the Name of *Jesus*, out of Compliance to a Country that adores her; being more intent upon the Intrinsic and Substantial Parts of Religion, *Prayer* and Good Works: She speaks several Languages even to Perfection, is entirely Obedient to the *Prince*, and he extremely dear to her; in a word, *She* is a *Princess* of many extraordinary Virtues and Excellencies, without any appearance of vanity, or the least mixture of Vice; and upon whose promise the World may safely depend. As for the many Plots and Conspiracies against this *Royal Couple*, a short time may bring them all to light, and faithful Historians publish them to the World,



Lastly, We may observe, that whereas it hath been the Maxim of several Kings both at home and abroad of late years, to contend and outvie each other in preying upon and destroying not only their Neighbour, but their own *Protestant* Subjects, by all methods of Perfidiousness and Cruelty; the only way to establish Tyranny, and to enslave the natural Freedom of Mankind, being to introduce a general Ignorance, Superstition, and Idolatry; for if once people can be perswaded that Statues and Idols are *Divinities* and adorable, and that a Wafer is the *infinite God*, after two or three ridiculous Words utter'd by a vile Impostor and Impudent Cheat, then they may easily be brought to submit their necks to all the Yokes that a Tyrant and a Priest can invent and put upon them; for if once they part with their Reason, their Liberty will soon follow; as we behold every day in the miserable enslav'd Countries where *Popery* dominates. On the contrary, it hath always been the steady and immutable principle of the House of *Orange* to rescue *Europe* from its Oppressors, and to resettle Governments upon the primitive and immortal Foundation of *Liberty* and *Property*; a glorious Maxim taken from the old *Roman Commonwealth*, that fought and conquer'd so many Nations only to set them free, to restore them wholesome Laws, their natural and civil Liberties; a Design so generous, and every way great, that the *East* groaning under the Fetters and Oppressions of their Tyrants, flew in to the *Roman Eagles* for Shelter and protection, under whose Wings the several Nations liv'd free, safe, and happy, till Traitors and Usurpers began to break in upon the Sacred Laws of that vertuous *Constitution*, and to keep up

Armies to defend that by Blood and Rapine, which *Justice* would have thrown in their Face, and punished them as they deserved; the preservation and welfare of the *People* being in all Ages call'd the *Supreme Law*, to which all the rest ought to tend.

From the foregoing Relation of matter of Fact, it appears most plain, that the *Roman Catholics* are not to be ty'd by Laws, Treaties, Promises, Oaths, or any other bonds of Humane Society; the sad experience of this and other *Kingdoms*, declares to all Mankind the invalidity and insignificance of all *Contracts* and *Agreements* with the *Papists*, who notwithstanding all their Solemn *Covenants* with *Hereticks*, do watch for all Advantages and Opportunities to destroy them, being commanded thereunto by their *Councils* and the Principles of their *Church*, and infligated by their *Priests*.

The History of the several Wars of the *Barons* of *England*, in the Reigns of King *John*, *Henry* the Third, *Edward* the Second, and *Richard* the Second, in Defence of their Liberties, and for redressing the many Grievances (under which the Kingdom groan'd) is a full representation of the Infidelity and Treachery of those Kings, and of the Invalidity of Treaties with them; how many Grants, Amendments, and fair Promises had they from those Princes? and yet afterwards how many Ambuscades and Snares were laid to destroy those glorious *Patriots* of *Liberty*? what Violations of *Compacts* and *Agreements*, and what havock was made upon all Advantages and Opportunities, that those false Kings could take? Read their Histories in our several *Chronicles*.

F I N I S

