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THE

LONG

Parliament

DISSOLVED.

Deut. 27. 17.

*Cursed be he that Removeth his Neighbours
Land-Mark : and all the People shall
say, Amen.*

Printed in the Year, 1676.

ACF 1076-464

SECRET

TO DIRECTOR, FBI

FROM SAC, [illegible]

Re: [illegible]

[illegible text]

[illegible text]

THE

Long Parliament Dissolved.

WISDOM saith, *There is as well a time to Speak, as a time to be Silent*; And though Wise Men are often hardly put to it, to know the Proper seasons of the one or the other: Yet where Necessity hath left no Choice, but absolutely imposeth One upon us, there can be no Srait upon the Judgment. And would to God it could not be made most demonstrable that such a Necessity we are under at this time. For no less than the *Lavvs*, and with them the *Lives, Liberties* and *Properties* of every *English-Man* is at Stake; and we, with all other our Fellow *English-men*, are under the highest Obligation to break our guilty Silence, or with our Tongues in our Mouthes, see all our *Antient Rights* Raped from Us and our Posterity for ever; and our *Living Child* of *Liberty* and *Property*, slyly stolen from our sides, and a *Dead One* of *Vassalage* and *Misery* laid in its room.

Wherefore on our own behalf, and the behalves of all other the People of *England*, we crave leave to speak.

As *Reason* differenceth Men from Bruits, so *Lavvs* (which are but the results of *Reason*) doth difference *Free-men* from *Slaves*: For it is *Lavv* only which makes and secures our *Liberties* and *Properties*, that neither they nor we, are Governed as *Beasts* by *Will* and *Pleasure*; but lays such a *Restraint* upon the *Government*, as thar it cannot do to us, or any thing that is ours, *ad Libitum*, but must Govern as the *Lavv* directs.

Hence was it that the wisdom of our Ancestors laid out

itself more, to Legally secure our *Lives, Liberties* and *Fortunes* from all *Wrongs* from the *Government*, than from the *Private Injuries* of one Man to another: For they knew that occasional and temporary *Larvs* would easily be made to restrain these, if they did; But to secure the other, make sure provision of *frequent Parliaments*: For they had so glorious a Value of, and kindness for our *English Liberty*, that they would not trust the *Guardianship* thereof to any under Heaven, but to the *People themselves*. And therefore that they might have a continued Assurance and a perpetual Satisfaction that their *Liberties* should continue in *statu quo*, It was Ordained, *That for the maintenance of the said Liberties, and Remedy of Mischiefs and Grievances that daily happen, A Parliament should be held once every year, 36. Edw.*

3. Cap. 10

'Tis true, some of our Kings have omitted the holding of *Parliaments* for a longer time than a year, and the People have silently waited, and born that Omission. And in like manner so have we, notwithstanding his *Majesties Coronation Oath*, and his many most solemn and oft repeated Promises for the *Keeping of the Larvs*; and yet continuing a Parliament of the prodigious length of 15 or 16 years, till they were not the *Representatives* of the one half of the People of *England*: Yet, we say, we held our Peace. And though we know, that all the People of *England* have equal Right to be *Represented*, and could make it demonstrable, that a Parliament of that length can never be the *Representative* of half the People; for all from 21 years of age to 37, which are the Major part of the People of *England*, both in number and vigor, and the Flower and Strength of the Kingdom, and that are only able to Defend it from any *Enemies* or *Invasions*, were never *Represented* in this Parliament; and that the major part of those that were *Represented*, never so much as thought or intended that the *Trust* they gave, should be continued to such a monstrous duration;

[5]

for the Gentry of *England*, who think themselves born to have their share in *Ruling* as well as being *Ruled*, judge it a very hard thing upon them, That they should be seclued from their hopes of having the honour to serve their King and Country in Parliament (the greatest *Schole of Knowledge* and improvement in the Kingdom) be bound to walk in the Hall, or like Laquies, wait in the Lobby all their lives long, and see 500 persons hold the Seats, as if they had each of them a Patent for his Place; whereas if we had annual Parliaments according to Law, there might 8000 Gentlemen have served in Parliament since the Kings restoration, which had been a great accomplishment to the Kingdom; And that there being at least 20000 Gentlemen in the Kingdom, and many of them of as good Brains, Families and Fortunes as any in the House, should be debarr'd from that highest Trust and Honour, and should be forced to dance attendance all their dayes on 500 only, would have provoked any Nation in the World to have spoke but we. And yet for all this we were silent and resolved to wait with patience: For we considered, though we had not what we ought to have, yet it was but still a sin of Omission, and did think with our selves, that some Circumstances of Affairs abroad, and the Poverty and Discontent of the People at home; would at last reduce things into their old and proper Order, and that we should at length see Parliaments in their Antient Legal Channel again, and both *King* and *People* reaping the Fruits and Blessings, that would flow from thence.

But in stead thereof, to our great amazement, all on the suddain, we found our selves plunged into a far greater extremity than ever; for whereas before Parliaments were only omitted or continued longer than the Law intended, but now by the last *Prorogation*, the *King* hath positively Ordered that a Parliament shall not be held within the time appointed by Law: So that the matter is come to this

narrow Issue, That either this Prorogation is Null, and the Parliament at an End, or, All our LAWS are of no Effect. And therefore we Appeal to Mankind in general, and more particularly to every Member of the late Parliament, Whether we are not reduced to an unavoidable necessity of Breaking our Silence.

For, our Law (*Viz.*) 4. *Edrv.* 3. *Cap.* 10. 36. *Ed.* 3. *Cap.* 14. 5. *Edrv.* 3. *No.* 141. 5. *Ed.* 2. *No.* --- 1. *Rich.* 2. *No.* 95. Do positively appoint *The Meeting of a Parliament once within a year.* But directly contrary to all these Statutes, this last Prorogation doth Order the *Parliament* not to Meet within a Year, but some Months after. And therefore either this Prorogation is Null and Void in Law, and consequently the Sitting and Acting as a *Parliament* is at an End, or else by your Sitting and Acting, you will Admit and Justify, That a particular Order of the King is to be obeyed, tho' contrary to an Act of *Parliament*, of what importance soever; and thereby at once subvert the whole Government of *England* by Law. The dreadful Consequences whereof would fill any true *English-man* with Indignation to consider.

For if a particular Order of the King is to be obeyed contrary to all those Laws, made for holding *Parliaments* for the Maintenance of all the Laws of the Kingdom, and Remedy of Mischiefs and Grievances which daily happen, then another particular Order of the Kings, contrary to *Magna Charta*; and another Order of the Kings, contrary to the *Petition of Right*; and another particular Order of the Kings, contrary to the Statute *De Tallagio non concedendo*, must also be obeyed. So that then the King may by his particular Order take away any mans Life, Liberty or Estate, when ever he pleaseth: And our condition is changed from that of *Freemen*, to be worse than that of *Villaines*: For tho' the Lord had the power over his *Villaines* Goods and Liberty, yet he had not a power over the Life of his *Villaine*, that the Law secured to him. But if the Kings particular Order contrary

trary to Law, must be obeyed, we have nothing to secure our very Lives unto us.

For if our Lives, Liberties and Estates have their Security from the *Lays* only, and the *Lays* have their Maintenance from *Parliaments*, then if a particular Order of the Kings concerning the Sitting of *Parliaments* must be obeyed contrary to all these Acts, made for holding of *Parliaments*, the king when ever he pleaseth may take away both the laws which should Secure us, and *Parliaments* which should secure our Laws, and then in what a condition we shall be left, (we conceive) both you and we may easily judge; For now if any threatens to take away our lives arbitrarily, and without the legal Judgment of our Peers, or our Liberties without shewing cause in law, we can answer *Magna Charta* will not suffer you. If any threaten to violate our Properties, we can now answer the *Petition of Right* will not suffer you. If any attempt to raise money without consent in *Parliament*, we can yet say no, the law *De Tallagio non concedendo* will not permit you. But if the kings particular Order contrary to these laws must give *supercedias* to them, and be obeyed by us, What have we to answer then? For you throw the whole People of *England* on their knees to beg for their lives, and for what part of their liberties and properties Will and Pleasure will please to spare them.

The *Lays* are the Banks and Fence of our *Lives*, and all that we can call Ours, so that no man can wrong us, neither in our Persons nor our Properties, but we can strait run to them for Right, But if contrary to *Law*, an Order of the kings, that breaks down these Banks and Bounds, and like an Inundation overflows all our Freedom, must be obeyed, What end will there be of our Miseries? Where will it stop? or who, or what can stop it? Now 'tis injustice in any person whilest our *Lays* govern us, to take any thing that is ours illegally from us, but if the kings Order against our *Lays* must be obeyed, 'twill be Mercy that any thing of ours is left

left us. Nay to fay truth, then all is his, and we have nothing that we can call ours, for 'tis *lavy* alone that makes Property.

Nor are our written *lavvs* and *statutes* only subverted, but the *Common lavy* may also by the same Rule: For if an Order of the king must be obeyed, against *Acts of Parliament* of the highest Importance, and most Universal concern, then also may his Order be obeyed against the *Common lavy*; and then whereas by the *Common lavy* every Member of *Parliament* is to have 40 days Summons before the Meeting of *Parliament*, that he may have time sufficient to prepare himself to come up and attend the discharge of his duty, that there may be a full Assembly, and nothing done upon the catch, nor by a Party; the kings Order contrary to this *lavy* may restrain the 40 dayes to 20, 10, 5, 4 days, nay 24 hours if he please; and it may be easily supposed, he cannot want a *Quorum* of each House of his own Servants and Officers who may dispatch what *lavvs* soever he pleaseth, though to the total alteration of the Government, before any from the Country can come up to hinder it.

And not only the *Statute* and *Common lavy*, but *lex & consuetudo Parliamenti*, the laws and customs of Parliament, is likewise subverted. For whereas by that law and custom of Parliament 40 Members and a Speaker makes a House; this or any succeeding kings, may by the same Power, order that 24, nay 14, or any less number shall make a House, and then a Parliament may be packt with ease at pleasure. And the law and custom of Parliament allows freedom of debate, and indemnifies every Member that speaks his mind, from any other Judgement but that of their own Bar (from which freedom it hath the denomination of *Parliament*) But if a private Order of the king or his Successors must be obeyed, the Members of either House may be brought to answer for their freedom of speech at the *kings-bench-bar*,
and

and from thence at a worse place, and they have no law left nor custom of Parliament to relieve them.

We might instance in many other Laws and Customs of Parliament, by which extraordinary Priviledges are given to the whole Parliament, and to every Member thereof in particular, but that would rather besit a Volumn than such a Discourse: Wherefore we will shut up this Point with this Conclusion: *That if you do admit that the Kings Order, contrary to Law, must be obeyed, you do admit, that the king and his successors, may hold Parliaments only vwhen they please, and vwhen they do hold them, may make them do vwhat they please; Nay, that they may vwith or vwithout Parliaments make Lawes, or make their particular Orders and Proclamations go for Lawes, raise Money, and do to Parliaments, and all the people of England, to their lives, to their liberties, and to their estates, whatsoever either the kings themselves, their ministers, or the vvorst of evil Counsellors. can desire.* An admission so Impudent that the *French Tyranny* came in more modestly than this. For the *French king* introduced his Absolute Rule by Courtship, *He pray'd a Law to order him to raise Money but till their next Meeting, and that neither but if there vvere occasion;* which the Parliament by Inadvertency granted, and have never Met since. But he did not issue out an Order contrary to the Laws, and bare-fac'd impose his Will upon them: For tho they were *French-men* they could never endure that: And shall *English-men*, not by Inadvertency, but upon *Deliberation* patiently suffer the self same Yoak to be put upon them, on worser Terms?

This we say not, Gentlemen, by way of acknowledgment that you are in a legal Capacity now, to do us either good or hurt, for your Day is done, and your Power expired, but that you may not like a Snuffe, smell ill after you are out. For the only reason why we more particularly direct our selves to you, is, because of the Character you have born, that therefore you should not so much as seem to give Prerogative the upper hand of the Law, That however you

lived, yet all may say and witness for you, that you dyed well and made a worthy End. For, it is now no time to flatter you, and therefore we deal truly with you; Things are at their Issue, and either you are dead or our laws are so : But our laws, we are sure are living, and we trust will live to all Generations, though there are some Gentlemen of your Assembly, so desirous of longer life, that they labour mightily to perswade the world, That the laws we mention for *Annual Parliaments*, are Repealed : But if they are, 'tis this Prorogation hath Repealed them : For they were declared to be in force when the *Triennial Act* was made, in 16 *Caroli primi*; and so they are in the Statute for Repealing that *Triennial Act*, in 16 *Caroli secundi*, in these notable words. *And because by the ancient Lawes and Statutes of this Realm made in the Reign of king Edw. 3. Parliaments are to be held very often, &c.* And how this Act should title them the *Antient Lawes and Statutes of this Realm*, and say, that by them Parliaments are to be held very often, if they were Repealed and were no laws and statutes of the Realm, is wondrous strange. For if they were no laws and statutes, then certainly Parliaments are not to be held very often, nor at all by them; but that law affirms, *They are the Antient Lawes and Statutes of the Realm*, and such Laws and Statutes that Parliaments are to be held by them : So that you see these laws were declared in force, even by your selves in the sixteenth year of his Majesties Reign, and we are sure there hath been no new Parliament since to Repeal them, however we hope the whole Nation will strictly observe every man among you, that to fit a little longer yet, would sacrifice to this Prorogation, the very best laws (and in them all the laws and liberties) of *England*.

Therefore let not any delude you with such little pittifull Objections, that you your selves are ashamed to acknowledge for your own; and urge them only as other mens opinions, for these sorry doses will never do, no nor the highest

cordial they can propose, your voting your selves alive; for Miracles are ceased, and if they were not, raising a dead Parliament to life again, is beyond the power of any mortal, and one of those works that ceaseth for ever.

'Tis very strange to see how these Gentlemen wriggle about, and like drowning persons catch at every straw to save them.

Yesterday they urged these laws were Repealed, and now they see they can do no good there, to day they acknowledge that they are in force, and apply all their wit to prove that the laws may stand, and this Prorogation too: For say they, Those laws do appoint, we shall have a Parliament once a year, and so we shall have for all this Prorogation; for we had a Parliament in 75, and we shall have a Parliament in 76; This is a very fine account: But according to this computation there may be 14, 16, or 23 months as well as 12 in a year: But he is a very novice in our law, that knows not, that where ever a *year, every year, within a year, yearly, or once a year*, is mentioned in any Statute, it is to be understood *twelve Months* only, and not one day more or less: As may be seen in the Statutes of *Usury, Recusancy, Conformity, Appeals for Murder*, and all other Statutes; wherein a *year* is expressed.

And it is more repugnant to reason to understand by a *year* in these Statutes more than *twelve months*, than in any of the former; for the following words, *And more often, if need be*. And the urging the Reason of their frequency; *For the maintenance of the Lawes, and the remedying of Grievances and Mischiefs which daily happen*, do plainly shew, that the Laws do not intend that Parliaments should always be intermitted for so long as *twelve months*, but never longer. But these Gentlemen would rather alter our very Language, and the Common acceptance of words, than cease to be a *Parliament*.

And therefore this last *Prorogation* is Null in Law, in ordering

dering a *Parliament* shall not be held till *fifteen months*, contrary to the Laws that order, a *Parliament* shall be held once every year, and if the prorogation be Null, you are Null'd therewith.

Now do not think to save your Authority by your own Vote, for we and all men must tell you, That no *Parliament* that is not antecedently so, can make it self a *Parliament* by Vote, and nothing can be the Cause of it self.

VWell! But now since neither the Laws are Repealed to make room for this prorogation, nor the prorogation and the Laws are able to stand both together, these Gentlemen hunt to find out a third expedient, and say, That if the prorogation be null, because of its illegal length of time, yet they are not thereby dissolved but only dismissed *sine die*, and to be recalled by the kings proclamation; a subterfuge as vain as either of the former, and altogether as unable to answer the ends of those that urge it; for if the kings prorogation was Null in Law, because it ordered the meeting of the parliament at a day of such an undue length as was contrary to the Law, then how can a proclamation, ordering their meeting on the same day, make it good in Law? For the only thing illegal in the prorogation was the length of time, (for its not to be doubted but his Majesty may prorogue parliaments, so it be not contrary to Law) and to think that a proclamation for meeting at the same time (or indeed at any time) can cure the illegality of the prorogation, is but an absurd opinion. *Et uno absurd dato, mille sequuntur.*

And therefore we affirm, That a prorogation or dismissal *sine die*, was one of the antient Forms of dissolving parliaments, for a parliament so dismissed, never sat again, nor was it ever done in any other case. And good reason, for otherwise all our Laws would be utterly eluded: For if the Laws appoint a Parliament shall be holden once ever year, and a prorogation comes and sayes no; a Parliament shall not be held till a year and a quarter, and after you see this

prorogation Null and Void in Law, you can slide your selves from under the Prorogation (and are content that there should be a Nullity) and shelter your selves under a *sine die*, and urge that on your behalf ; we say ; could you do this , Our Laws were of no avail but meer Cyphers only.

And therefore we say first, That it is not really so, for you were prorogued to a certain day, and not *sine die* ; and if the Law make that day (to which you are prorogued) as impossible ever to come, as the *thirtieth of February*, we cannot help that ; but it is the only day upon which your being stands, and if by the Law that day can never come, then by the same Law you can never come.

But were it so, yet still it were but as broad as long, for a prorogation *sine die*, is nothing but a dissolution neither, for there is no other *sine die* in Nature but that : so that look which way you will, whether on the Prorogation of the *fifteenth of February*, or a *Dismission sine die*, the Law shews you nothing but Death ; and you love to be Members of Parliament a great deal better than we, if you will adventure your Lives and Fortunes, to sit after the Law hath put a *Dissolution* on you.

Edward the Fourth held a Parliament the eighth day of *April*, in the thirteenth year of his Reign, which he prorogued to the sixth of *October* following, but being desirous to call them sooner, if the urgency of his affaires should require it, no other expedient could be found to enable the King to do it, but by a special Act of Parliament to adjourn them to that time, and yet if occasion did require to summon them sooner, which Act was made with that caution and legal formality, that in the very Record of that Prorogation there is a *Salvo* for the Act of Parliament, and the Act it self recited, *in hac verba*, in the Record. *Rot. Parl.*

Item, eodem octavo die Aprilis, post gratias reditas ex parte dicti, Domine Regis, & ejus mandato per venerabilem Patrē, Willm. Bathon. & Wellen. Episcopum Cancellarium prefactis Dominis & omnibus tunc ibidem presentibus, de eorum bonis diligentis & laboribus circa ea, quo sibi ex parte Regi injuncta fuerunt exhibitis & ostend. Idem Cancellarius ex mandato ejusdem Dom. Regis ulterius declaravit qualiter Idem Dominus Rex, sacrum tempus Quadragesimate tunc instans & fere prateritum, ad sacrum Festum Palchæ, tunc quasi in proximo existens, quamq̄ necessarium atq̄ placabile esset, tam Dominis quam Communibus, dicto Parlamento intendentibus ad suas Libertates existere, aliasq̄ causas urgentes ipsum Dominum Regem & Regnum suum Angliæ concernentes, debita discussionis libramine, ponderans Parliamentum suum predictum, usq̄ sextum diem Octobris tunc proximum futurum, ad idem Palatium apud Westminster, quo tunc erat tentam, tunc ibidem tenend. censuit prorogand. & adjornand. & illud realiter sic prorogavit & adjornavit, omnibus & singulis quorum interfuit firmiter injungendo quod ad dictum sextum diem Octobris apud dictū Palacium Westmin. excusatione quarunq̄, cessante personaliter convenient in negotiis dicti Parlamenti processurus.--- Salva semper prefato Domino Regi conditione in quodam Actu autoritate dicti Parlamenti super hujusmodi prorogatione & adjornatione edito contenta : Cujus quidem Actus tenor de vero in verbum hic subsequenter inseritur, viz.

Forasmuch as the King intendeth to
Rot. Parl. 13. Edy. prorogue and adjourn this his present
 4. No. 43. Parliament to this his Palace of Westminster, unto the sixth day of October next coming, then, there to be holden. It is Ordained by the authority of this present Parliament, that all-be-it any such prorogation and adjournment be had, yet if for any urgent cause moving his highness, it shall be thought to the same behoveful, to reasume, reassemble, and have appearance of this his said Parliament, at any time or place, within this his
 King-

Kingdom, afore the said sixth day of *October*, that then at his pleasure he may direct his several Writs to the Sheriffe or Sheriffes of every shire of this his Realm, to make open Proclamation in every Shire-Town, That all Lords spirituall and temporal, being Lords of *Parliament*, and all Knights of shires, Citizens of Cities, and Burgeffes of Broughs, returned in this present *Parliament*, personally appear at such day and place, as in the same Writs of Proclamation shall be specified: so alwayes that every of the said writs be made out twenty days or more before the said day of appearance limited by the same: And that such appearance at that day and place, to be limited by the said Writs, be taken and had of like force and effect, as if the same king had prorogued and adjourned this his said Parliament unto the same day and place. And that then the said prorogation and adjournment to be had to the said Palace of *Westminster* unto the said sixth day of *October* to be void and of none effect.

And in this Instance, there are these two things observable: *First*, How careful our Ancestors were in all their concessions to their kings, that they did not damage their Laws, and thereby hurt the people, who had entrusted them. And next, That that was a very learned Age, and had the assistance of *Littleton* and *Hussey*, two as great Lawyers as any one time hath produced. And certainly all this trouble, care and pains, both to King and Parliament might have been saved, if either that Age or those learned men could have found out the expedient of a *Parliament prorogued or adjourned, sine die*, but there was none.

And 'tis well that there is not; for if the king by prorogation, *sine die*, may hold a parliament but in *fifteen months*, then by a prorogation *sine die*, he may not hold them (if he please) but in *fifteen year*, nay but in twice or thrice *fifteen* if he will.

And on the other hand, If the king by a prorogation *sine die*, may hold a parliament, then he may call them together again

again in 7 or 8 dayes, when all the Country members are returned to their homes, and none can attend by reason of the suddenneffe thereof, but such as the King may hope for any thing from (as we have already intimated): so infinite are the mischiefs that would attend a *sine die*-prorogation, that, God be thanked, our *Laws* and *Ancestors* would never abide it (in any other sence than we have said) And therefore do not think the People of *England* will ever do that indignity to their *Lavvs*! That dishonour to the *Finger of God*, which by so stupendious and over-ruling a Providence hath dissolved you! Or that dis-service to their own Interest, as ever to acknowledge you any more for their *Representative*.

Sine die, being thus unable to help in this matter, these Gentlemen are forced to return again to the Prorogation, as seeing a necessity to stand or fall by it, and either to make that good, or to be totally routed, and therefore their last labour spends it self in tumbling the Records, to find out Presidents, as if Presidents could prevail against *Law*, and 'tis boasted by them (with mighty joy) that they have at last found out one President in *Q. Eliz Reign*, wherein a Parliament was Prorogued for three dayes more than a Year.

But we say, this is no President at all, but only one illegal Fact, and that there is but one in nigh 400 Years: And 300 Prorogations make very little for the honour of those that urge it. But if this were a President, what would it avail, since it is directly contrary to so many known *Lavvs*? For if a President can make an illegal thing lawful, there is no wickedness under the Sun, but may bring a President to warrant it. And therefore the greatest Sages of the Law have always asserted, *That the Law is the Met-voand and Standard of Presidents; And that all Presidents against the Law, were to be rejected as wicked and unvarratable, or else you give Presidents the Mastery over the Law; Nay null the*

the Law, and set up a new Rule of our practice.

We have presidents, and very antient presidents to, that that this kingdom was of the *Romish* profession; what is it therefore warrantable for us to follow those Presidents contrary to law and turn Papists, we have a president that king *John*, contrary to law, resign'd the realm of *England* to the Pope, Is it therefore lawful for any other king of *England* to do the same? VVe have also a president that *Queen Eliz.* (from whence your president is fetch'd) contrary to law, Imprisoned some Members of the House of Commons for speaking their mind in parliament, Is it therefore ever the more lawful for the king and his successors to violate your priviledges? VVherefore unless the presidents be lawful, it is not lawful to follow your presidents, unless you your selves would be made presidents to future Ages. And therefore it was well said by the Lord chief Justice *Brampton*, *We are not to stand upon presidents, but upon the lawrs, and tho presidents look either the one way or the other, they are to be brought back unto the Lawrs.* And the Lord Justice *Vaughan* tells you thus; *Though Presidents have been so often that they may be called by the Name of Usage, yet that, if usage hath been against the obvious meaning of an Act of Parliament, in the vulgar and common acceptation of the Word, then is it rather an Oppression of those concerned, than an Exposition of the Act.*

VVherefore unless you will stand upon record as the oppressors of all the people of *England* (for no less than all the people of *England* are concerned herein) you can never admit of any president against the obvious meaning of not one Act alone, but so many Acts of parliament, and that not in a wrested sence, but in the plain vulgar and common acceptation of the word.

Your duty lying thus manifestly before you, there is nothing worthy a man, that can obstruct you. For it is only the single fear, that the people will not choose you again, that

can make you deny it, and to deceive any, in the trusts they have given you, because you doubt they will credit you no more, is but an odd kind of honesty, neither does the policy thereof look over strong, for to be sure your betraying your trusts, in opposing the Laws and the Interest of the People, is never the way to be chosen again.

But on the contrary, your stout and faithful standing for, and defending them, is an infallible way to have your trusts renewed.) And to think to keep it against the peoples will, is a weakness too great for any man, that would be reckon'd more than once removed. ---

Pray remember your Elder Brother, the former long Parliament, they would sit against the peoples desire, and yet, though they had a special Act of Parliament for their sitting, and an Army to back that Act, yet you see when the peoples minds were turned against them, do they and their Army what they could, the people never left till they had unrooted them; they took such vengeance on them, as cost many of them their Lives, their Liberties, and the Fortunes of almost all of them : All which it is possible might have been saved, had they observed their season, and instead of imposing themselves, let the People have had their yearly Representatives; for lack of which, the dissatisfaction and revenge of the People was engaged against them, so that it was engaged against them, so that it was themselves that first pull'd down ruine upon their own heads. For by their long sitting, they wearied the *Roundhead*, as you have done the *Cavalire*, And the worst Omen that befalls a Government, is, when its friend falls from it, And look what was the reason that turned the Gentlemen that were on the Parliament side against them, and you will find the self-same reason turneth your old Friend against you; for as they stomach'd it then, to see a few of themselves, perpetuating their own Rule to the exclusion of all others so do we now.

And

And if the Nation would not endure that parliament (though they had a Law for their sitting, because of their strange and unwonted length, can you think the same people will abide your longer sitting in exprefs and utter defiance of all the laws of the kingdom? And shall it be told to future generations, That *England* chose a Parliament in sixty one, who after they had sate fifteen years, and were by an illegal Prorogation, legally dissolved, yet out of a wretched unconscionable desire to sit yet longer; *Betrayed the People that chose them. and sate upon a Prerogative account, contrary to the known Lawes of the Kingdom.*

Now let any man think it strange that we account it Treason for you to sit and Act contrary to our Laws : For if in the first parliament of *Richard the second*, *Grimes* and *Weston*, for lack of Courage only, were adjudged guilty of Treason for suarendring the places committed to their Trust; How much more you? if you turn *Renegadoes* to the People that entrusted you? and as much as in you lies surrender, not a little pittifull Castle or two, but all the legal defence the People of *England* have for their lives, liberties and properties at once.

Neither let the vain perswasion delude you that no president can be found that one *English* Parliament hath hang'd up another, (though peradventure even that may be proved a mistake) for an unpresidented crime calls for an unpresidented punishment, and if you shall be so wicked to do the one (or rather endeavour to do, for now you are no longer a parliament) What ground of confidence you can have that none will be found so worthy to do the other, we cannot understand, and do faithfully promise (if your unworthyness do provoke us to it) that we will use our honest and uttermost endeavours whenever a New parliament

New parliament shall be called) to choose such as may convince you of your mistake. The old and infallible Observation, That parliaments are the pulse of the people, shall loose its esteem, or you will find that this your presumption was over fond, however it argues but a bad mind to sin because it believes it shall not be punished.

But all grand offenders against the Law ever were of that belief, but it hath faild them very oft, For *Andrew Horn* in his *Mirror of Justice*, tells us, That *Alfred* hanged *Darling. Segnor, Cadvyvine, Cole* and 40 Judges more for judging contrary to Law : And yet all those false judgements were but in particular and private cases and concernments, not upon the Laws themselves. And our Histories of later times say, That *Sir W. Thorp*, Chief Justice of the *Kings Bench*, in the reign of *Edvv. 3.* for receiving but one poor hundred pounds in Bribes, was for that alone, adjudged to be hang'd, and all his Lands and Goods forfeited, and this reason rendred for his condemnation, *Becruse thereby, as much as in him lay, he had broken the Kings Oath made unto the people, vvhich the King had entrusted him vvvithall.* And in the 11th year of *Richard the second*, The Lord chief Justice *Trisilian* was hanged drawn and quartered, for giving his judgement that the king might act contrary to one particular Statute. And *Black* the kings Council, and *Uske* the Under-sheriff of *Middlesex*, with 5 more persons of quality were also hagg'd for but assisting in that Case.

And in the first year of *Hen. 8.* *Empson* and *Dudley* (notwithstanding they were two of the kings privy council) were hang'd for procuring and executing an Act of parliament, contrary to the Fundamental Laws of the kingdom, and to the great vexation of the people. And in the of *Hen. 8.* *Cardinal Woolsey* was accounted guilty of High Treason for endeavouring to subvert the Common Laws of the land, and to introduce the Civil Law in its stead. Divers later instances might be given, but that it is not prudence to follow

Truth too close at the heels, neither will be necessary to name more, if these are well considered; For if the Lord Chief Justice *Thorp*, for receiving the Bribery of a hundred pounds was adjudged to be hanged, as one that had made the king break his oath to the people, how much more guilty are they of making the king break his Coronation Oath, that perswad him to act against all the laws for holding parliaments which he is sworn to maintain? And if the Lord chief Justice *Tresilian* was hanged, drawn and quartered, for advising the king to act contrary to one Statute only, What do they deserve that advise the king to act not only against one statute, but against all these antient laws and statutes of the Realm! And if *Blake* the kings Council, but for assisting in the matter, and drawing up Inditements by the kings Command, contrary to law, though it is likely he pleaded the kings Order for it, his duty to do it, and that it was but *pro forma*, what he did, yet if he was hang'd, drawn and quartered for that, what Justice is due to them that assist in the total destruction of all the Laws of the Nation? And if *Uske* (the Uuder-Sheriffe, whose Office tis to execute the laws) for but indeavouring to aid *Tresilian*, *Blake* and their accomplices, against one single Statute, was also with 5 more hang'd drawn and quartered, what punishment do they deserve, that ayd and endeavour the subversion of no less than all the laws of the kingdom? Nay, if *Empson* and *Dudley* tho they had an Act of Parliament on their side, yet that act being against the known laws of the land, were hang'd as Traitors for putting that statute in execution, and if *Woolsey* was accounted guilty of high Treason for endeavouring to exchange the laws of *England* for the Civil laws? How great must be your condemnation, and of how much sorer punishment must you be judged worthy if you shall but endeavour to sit and act as a Parliament upon this prorogation? For you have not only no law to plead, as *Dudley* and *Empson* had, but are directly contrary to all our laws, of every kind:

And you will thereby not onely attempt to exchange our lawes, as *Woolsey* did, but to put us into a state of no law at all.

Having thus faithfully discharged our duty, and layd yours before you, that through no inadvertency you may be surpris'd we have done. Not at all doubting the issue thereof; for, if it be his Majesties honour and true intrest to keep the lawes, he hath so solemnly sworn and protested to do, as assuredly it is; we have no Reason to doubt him, And if those worthy patriots in the lords house whose names can never be mentioned, with that Honor, they deserve from the people did desire to adrese to his Majesty fifteen months agoe for the Parliaments dissolution, and since, all the reasons that moved them thereto at that time, do still continue, and that this main reason is now also added That this parliament can sit and Act no more as a parliament without the total subversion of the lawes, and the very constitution of the Government of *England* we have no reason to doubt the lords.

And if the Commons shall but consider from whence and for what end they received their trust we have no cause at all to doubt them neither, for certainly among them as well as among the lords, are a greater number of persons of honor wisdom and fortune, then of those that are Indigent of all, and that will think with themselves, [that if not above halfe the people of *England* are represented by them, and that two thirds of that halfe that are represented are weary of their sitting and desirous of their dissolution, and that 5. Parts of 6 do believe they can never more legally sit as a parliament, and that sixth seem doubtful; And since that worthy part of the Commons, can get nothing to themselves in particular by sitting, and that if 5, 10, or 20 years hence, they should by another parliament be found to have usurped the legislative power of *England*, to the Ruine of our lawes, and the destruction of the people, they would be sure to an-

swer it, with no less then their Lives and Fortunes; and since if they should presume to sit so many persons of quality, are resolved not to pay any taxes, or obey any other of their acts without first trying their validity by due process of Law. And what pleasure or advantage his Majesty can take, or they themselves can have, in their sitting as a parliament, when their very Jurisdiction is like to be questioned in all the Courts of *England*? And whether it be likely that *English* Juries should find against their neighbours and therein against themselves, to uphold a parliament that hath so many yeares imposed it self upon them, contrary to their desire, And that *now* is *Legally dissolved*, we leave to themselves to Judge.

F I N I S.



