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REASONS

Against REPEALING the

Occasional, and Test Acts,

And ADMITTING the

DISSENTERS

TO PLACES of

Trust and Power.

OCCASION'D

By Reading the 6th Chap. of a
Pamphlet called, *The State-Anatomy of*
Great Britain.

To which is added

An ANSWER to the most material
Arguments brought by the *Dissenters*
and their Friends for their Admission
into Offices.

L O N D O N,

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REASONS

Against Repealing the
Occasional, and Test Acts.

DEAR SIR,



BE pleased to accept of my hearty Thanks for the Pamphlets you were so kind to send me ; I cannot return your Favour in the same manner, without writing one on purpose for you, which you will find, by the length of what follows, I have done : Meanly I confess, without much Time or Thought employ'd upon the Subject ; yet such as it is, I know your Goodness will excuse it. I desire you would look upon the whole, as what would drop from me in Conversation, had I an Opportunity to kiss your Hands at ——— which my present Indisposition will not permit.

I am pretty well pleased with the *State-Anatomy of Great Britain*. I cannot understand how the Tories will be able to reply to his Charge against them, which is no less True than Severe. Yet the Vehemence and Rapidity of his Style discover a Man of a very warm Temper; and this State-Chirurgeon, in some Particulars at least, gives himself the Air of a mere Quack. I have no more Faith in his irrefragable Demonstration, than in the Catholicon, or Universal Medicine of some of his Brother Doctors. I cannot by any means close with him in his Project of repealing the *Occasional and Test Acts*. If you remember, I long since hinted to you, that this was upon the Anvil, and as it is now probable it will be attempted by some Favourers of the Dissenting Party, give me leave to shoot my Bolt against them.

You know I have hitherto been in no great Pain for the Church: Imaginary Dangers give me no Disturbance, nor am I easily moved with popular Noise and Clamour. But when such Projects as these are on Foot, out of the regard I have to Decency, Order, and good Sense; I cannot forbear looking with some little jealousy upon the Dissenters, who seem in so peculiar a Manner to be the happy Minions of this Author.

This Doctor irrefragabilis begins his Demonstration, or Prescription (call it which you please) in a very Magisterial Tone, *Page 30. Let the National Church, &c.* But I am not convinced that this Gentleman's *Plan* will secure the National Church from the Invasions of the Dissenters, unless he can Demonstrate also, that the Dissenting Preach-

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ers will divest themselves of their usual Ambition: That they will not cast a longing Eye after that Ecclesiastical Preheminence he mentions, which (as it is most apparent) where ever they have been Established, they are as fond of as any Priests whatsoever, carry it to as high a Pitch, and execute their Decrees with as much Rigour. If I am rightly informed, Ecclesiastical Tyranny is as complete in our Neighbouring *Kirk of Scotland*, as in those Slavish Regions on the other side of the *Alps*. He must Demonstrate also, that these self-denying Preachers will not be glad of a seasonable Opportunity to creep into the Dignities (tho' perhaps under some other Denominations) as well as the Immunities and Possessions of the National Clergy. As human Nature is still the same; and as it is Notorious that our Neighbouring *Kirkmen* have Effected this already: As it is well known that these meek and humble Preachers had ingross'd all Power, and Profit Ecclesiastical into their own Hands, even in our own Country, during the late unhappy Troubles; how can we rely upon his whimsical Security of an *Irrevocable Law* to make them all Helots, or Slaves if they attempt it? Or what Law can be Irrevocable, when the Dissenters by those very means he proposes, will have a Power to revoke it? For by being equally admitted into all Places of Trust, and Profit, and in almost all respects upon a Par with the National Church, they will have an Opportunity to promote their Interest, augment their Numbers, persuade the Fools, and buy off the Knaves of our Communion, till at last they grow too Big for Punishment. How easy then will it be for this Author to make so formidable a Body Helots or Slaves? I am well assured it will be much more easy for the Dissenters to
break

break through all his Cobweb Laws, and overturn all his impotent Schemes.

I cannot but think it will be allowed me, that it is as Necessary to secure the Establish'd Church, against the Encroachments of the Dissenters, as to secure the Dissenters against the Persecutions of the Establish'd Church: If this is granted, I cannot help inferring that the *Occasional* and *Test Acts* ought to be as Sacred and inviolable as the Act of *Toleration*; because every good Church-man (and of such I know this Parliament is Composed) ought to be as Solicitous at least for the security of his own Religion, as for that of his Dissenting Neighbours.

It is Reasonable, and I very heartily agree with this Author, that *Protestant Dissenters* of all Denominations, should Worship God according to their Consciences, with all imaginable freedom: And as this is all they can with Modesty ask, so we Good Church-men should be too Complaisant (you see I give it the mildest Epithet) should we for their sakes who are already as easy as they ought to wish, give into any Projects that might possibly weaken the Security of the Established Church.

I shall take the Liberty to affirm, that the excluding *Dissenters* from Places of Trust in the Government, has been the standing Opinion of the *Whigs*, as well as the *TORIES*. In a Conference between the two Houses about the *Occasional Bill*, the Lord *Hallifax* (no inconsiderable Manager for the Peers) Speaks thus.

GENTLEMEN,

“ *The main Design of this Bill is to secure the Church*
 “ *of England. In this the Lords do perfectly agree with*
 “ *you. Both sides of the House joyn in it with equal*
 “ *Zeal. And the main Point being the Excluding of*
 “ *all Persons from Employments of Trust, who joyn them-*
 “ *selves to any other Bodies for Religious Worship, The*
 “ *Lords do agree with you intirely likewise in this.*
 “ *And again, the Lords look upon the fixing Qualifica-*
 “ *tions for Places of Trust to be a Thing so intirely lodg’d*
 “ *with the Legislature, that without giving any Reason*
 “ *for it, upon any apprehension of Danger (how remote*
 “ *soever) every Government may put such Rules,*
 “ *Restraints and Conditions on All who serve in any*
 “ *Place of Trust, as they shall see Cause for. In that*
 very House of Commons which Prosecuted Dr. Sa-
 cheverell, one Humphreys, a Nonconformist Minister,
 Address’d to them a Paper containing Reasons for
 abolishing the *Test Act*, and admitting the Dissenters
 into a Share of the Government: But even this very
 House of Commons express’d their Resentments
 against this insolent Proposal, and ordered his
 Paper to be burnt by the Hands of the Common
 Hang-man.

These Instances I conceive are sufficient to prove,
 that not many Years past, it was the unanimous
 Opinion of the whole Representative of the Na-
 tion, of all the Members of the Church both Whigs
 and Tories, that the Dissenters ought to be exclu-
 ded from Places. I must own I cannot discover,
 how they have since merited a greater share in our
 Favour, or what should induce us to alter our Senti-
 ments. If indeed you will believe their own extra-
 vagant Boasts, they alone are the Support of the pre-
 sent

sent Establishment. The Members of the Church of *England* are all either declared Enemies, or insignificant Cyphers. I shall not pretend to weigh Men's Merits in a Balance, but am very well satisfied the *Dissenters* would in all regards appear light enough. We of the Church I hope understand our selves too well to Trumpet our own Praises. And I shall beg leave to tell these very Meritorious *Saints*, these Confessors, and Martyrs for the Government, that their Sufferings have been abundantly Recom-pensed, and that the most Loyal, most Deserving of them all have only done their Duty.

But their Boasts are not more Ridiculous, than their Menaces are Insolent. In many of the little Papers they have Published upon this Occasion, they threaten their ~~Whig~~-Friends in the House, with the severest Marks of their Displeasure. They accuse them with want of Honour, with Breach of their Promises, and in fine tell them very plainly, that if they will not repeal those Laws, which are a Bar to their Preferments, they will desert such Un-grateful Persons, and joyn with the *Tories* at the next Elections; which, being interpreted, is, that if their ~~Whig~~-Friends which are now in Power, will not admit them into a share of the Beneficial Places, they ~~Honest~~ Men will do the best they can, to overturn both them and the Government.

I know Sir you will be under some Surprise, to find that the boasted Loyalty of these Pillars of the State, is dwindled into mere Self-Interest and Sordid Gain.

I want Faith to believe that any Ministers of State will make an Attempt so ridiculous as to

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Copy after King *James*, by Repealing the *Test-Act*, which must make them odious to the People. For they will find that the boasted Numbers and Power of the *Dissenters* will be very little able to support them. It must shrink into a mere Shadow, when opposed to the Bulk of the Nation.

"The *Dissenters* themselves must in the End be effectually ruined by it. For since they will grasp at more Power than is their Due, the Opposite Party, who will undoubtedly have their turn to be a Majority, will very naturally withdraw the Concessions they have already made, as from Men that know no Moderation, and cannot be content to be Happy, without being Great. And how can they who have invaded the *Test-Act*, complain, if they should hereafter lose the *Toleration*, of which by their ambitious Designs they have render'd themselves unworthy? I cannot but be convinc'd that this must be the Consequence of their giving new Jealousies to the Establish'd Church: And that every Attempt of this Kind is not only in the highest degree ungrateful, but intirely subversive of their own Interest. I am confident every unprejudiced Man amongst them, who has no self-interested Views, must agree with me, that nothing can become them so well as to sit still, and enjoy with thankful Hearts that ample *Toleration* which the good Nature of their Fellow-Subjects has given them.

By the Act of Settlement it is provided, that whoever hereafter shall come to this Crown, shall joyn in Communion with the Church of *England*, as by Law established. With what Modesty then can the *Dissenters* ask to be free from a Restraint

to which the King himself is subject? Shall they be releas'd from these legal Fetters (as they term them) and the King himself, for whom they express so great a Zeal, remain bound? May we not with greater Reason conclude, when these Laws are repealed in favour of the Dissenters, that it will be but common Decency to repeal that Clause in the Act of Settlement? And will the Church be safe, should we hereafter have a King who will not join in her Communion? The Legislature were not of that Opinion when the Act of Settlement was pass'd, nor I hope ever will. The many weighty Reasons for laying this Restraint upon the King, who is the Fountain of all Offices and Honours, will certainly hold good if applied to those Persons who derive the Offices and Honours from him: at least will differ as to *Magis* and *Minus* only. In both Cases the Wisdom of the Nation thought these Precautions necessary for the Security of the Church, which has run no less hazards in times past from Dissenting Brethren, than from Popish Princes. It is true, there is a wide Difference as to the State, between *Dissenters* and *Papists*. These are declared Enemies, the other **Zealous Friends**. But are they not both Enemies to the Establish'd Church? Turn over (*Sir*,) our Histories, and find me one Instance if you can, where the *Dissenters* let slip any one Opportunity to use the Church despihtfully, when they had it in their Power. On the contrary, so irreconcilable their Hatred, that you will evidently discover **They** had once solemnly Sworn to Extirpate and Destroy her. Their Ill Designs and Our Fears are of equal Date, which the Aspiring Temper that now appears amongst them, will by no means allay. It is in vain therefore they plead that they have e-
qual

qual Abilities to serve the Government with the Members of the Church, for so also have the *Papists*. However it wou'd better become these *meek Saints* to let other Men Praise them, and not their own Lips. The World indeed is every Day convinc'd of their vast Capacity to Govern; but this happens unluckily to be a little beside the Question; for we do not except against them for want of Capacity, but on the contrary conclude, the greater their Abilities, the more they are to be feared.

The most malicious of our Enemies cannot find out a more Effectual way to make the Government Unpopular, than the Repealing these Laws, which are the Bulwark of the Establish'd Church: The very Sound of whose Name can raise a Zeal in the Multitude little less than Distraction. You, Sir, who convers'd among the People during the late Rebellion, that you might do the Government all the good Offices you were able, can tell the mighty Influence of the word *Church*. It is plain that Calumny of the Danger of the Church, had taken deep Root: It was by this alone that the Enemies of the Government gain'd upon the People, and raised that Ferment against the *Dissenters*, the Fore-runner of the late Rebellion. You, Sir, and many other honest Gentlemen, labour'd with the utmost Application to wipe off that Dirt cast in so plentiful a manner upon the King and his Friends. Upon these Occasions you have given repeated assurances that the Church was safe; you have Demonstrated that it was Inconsistent with the Honour of the Government, and with all good Policy, to take any Step to the Prejudice of the Establish'd Church. You have ridiculed those Fears, as vain Chimeras, or

shallow Artifices of Friends to the Pretender: The justness of your Reasonings has prevailed, the People have been ashamed of their easie Credulity, have awak'd from those idle Dreams, and concluded with you, that nothing could effectually Support the Church, but their firm Adherence to a Wise, Protestant King. But how unfortunate are the Friends of the present Establishment? See at once, Sir, all this hopeful Fabrick falling to the Ground. The *Dissenters*, if they repeal these Acts, will triumph in their Success; their foolish Hopes will be contained within no Bounds, they will insult without Mercy, the Converts you have made; and you with all your honest Zeal, and the clearest Reason on your side, will be esteemed little less than a very weak Man, or a very false Deceiver. Thus, Sir, are you deliver'd up to Infamy and Reproach by those who out of your Reputation, pay the Debt they owe to their *Dissenting Voters*.

A Dissenter can by no means be said to be Oppressed because he is not admitted into Places of Trust, and Power; since no Man has a natural Right to an Office, for that is owing solely to the Grace and Favour of the Prince. As the Members of the Establish'd Church seem to have the best Title to those Favours of their Prince who is Supreme Head of that Church, so it will be his Interest to employ Men of the same Principles in Religion, if he expects Secrecy, Dispatch, or any good Understanding in his Affairs. For however calm Men's Minds may be in other Countries, they are in too great a Ferment in *England*, and we are too great Bigots on all sides, for a wise King to employ Men of different Perswasions. The Church-man (I am afraid) would look with
 Envy

Envy and Distrust upon the Promotion of a Dissenter, who in his Opinion can justly claim nothing more of his Prince than Indemnity and Protection. And would there not be some Ground for his uneasiness? Since the Dissenter who is generally Opinionative; Insinuating, and Ambitious, if he is once made Great, will aspire to be Greater: And by the same Law that he is admitted into any share of Power, is in a Possibility of the highest Promotions. And should the most Sanguine of us all think the Church entirely out of Danger, were the *Dissenters* admitted into the Administration? In a Case that so nearly concerns us, let us provide even against Possibilities.

I cannot think the Body of the *Dissenters* are very uneasy at being excluded from Offices; It is the Covetous, and Ambitious only, that gape after Places; the Pious Man will be content to serve God in his own way; Temporal Preferments are Trifles he will easily forego; an eager Desire to be Great, and to make a Figure in the World, favours very little of Religion: And I cannot see of what great National Advantage it will be, to admit the very worst of the *Dissenters* into Place and Power.

The *Dissenters* will for their own sakes, do all they can to Support the present Establishment, their Hands, their Purse (and that is all we want) will not fail of being ready, upon every Occasion, against the Pretender and his Adherents, because they must know, that their being even but Neuters in this Quarrel, is to them immediate Ruin. Where their own Preservation is so nearly concerned, it is Ridiculous to suspect their Zeal. Let us therefore make use of their Assistance to do us Good, but let

let us be careful we do not put it into their Power to do us Harm. We live now as Brethren, but the Time may come when they may dispute our Birth-right, and struggle with us for Superiority. The *Dissenters*, like two very useful, but unruly Elements, are the best Servants, but the very worst Masters.

The Toleration is indeed the Glory of the Church of *England*, because in this she raises herself to the highest Pitch of *Christianity*; she Blesses them, who would Persecute her. But as she knows they want not the Will; she would Act the part of a Lunatick, or an Idiot, should she tamely give them the Power.

I must confess I cannot see how the Repealing these Acts will greatly advantage the Generality of *Dissenters*, whose Genius seems most inclined to Trade, and for which they are much better qualified, than for Places at Court. His Majesty, if he has not already, may soon have with a little tolerable Conduct in his Ministry, many hearty Subjects of the Church of *England* to fill the more inferior Posts. There remains nothing now, but to reconcile the deluded Populace to the best King that ever Reign'd; a Task one would imagine no way difficult to a Wise, Steady, and Uncorrupt Administration. But on the Contrary, the very Attempt to Repeal these Acts will be attended with the worst Consequences to the present Establishment. How many were terrified into Tory-measures by that Ridiculous Cry of the DANGER OF THE CHURCH? Many of whom were very Well-meaning Men, and have since had the Grace to acknowledge their Errors, are perfectly

fectly recover'd from that ridiculous Fright, and are now as hearty Subjects as any in the King's Dominions. But all these and many others who are just coming over, and want only an Excuse for their past Follies, when an Attempt shall be made to Repeal these Acts, will immediately relapse, and the shaking Fit will seize them once more with redoubled Violence. But are we assured this Infection will creep no further? Will not such an Attempt shock many hearty Advocates for the Government? Gentlemen who serve their King and Country upon Principles of Conscience and Honour, without any servile Dependence upon Ministers of State, or Expectation of any other Reward than the Satisfaction of having done their Duty : And who I will take the Liberty to say are the Best and most Reputable Friends to the present happy Establishment.

If this Author gives us these bold strokes, as his own private Opinion and secret Wish only, he might have saved himself the trouble : For I am very well satisfied that the Gentlemen now at the Helm understand the State of the Nation too well, to follow his Advice. But if he has the Insolence to divulge these things, as Schemes already agreed upon by the leading Men in the Government, He deserves little less than the Pillory for so vile a Reflection.

Upon the whole ; I am as fully perswaded as ever I was of any thing, that an Endeavour at this time to Repeal the *Occasional* and *Test-Acts*, will give a mighty Handle to the Disaffected, Breath to the Clamorous, plausible Reasons to those, who are now reduced to the last Dregs of
Non-

Non-sence and Absurdity, and will in the end
prove both a needless, and dangerous Experiment.

I am,

Dear Sir,

Yours most sincerely, &c.

Feb. 10th, 1716.





The Second

LETTER.

DEAR SIR,



OUR Zeal for the true Interest of our Gracious King, and for the true *Protestant Religion* as profess'd in the Church of *England*, will readily excuse my giving you the trouble of a second Letter. I have had the Honour of your Approbation of the former; if I can be so Fortunate in this, I shall very little regard the Censures of those, whose Interest it is to Condemn it. I shall endeavour to Answer the most material Reasons given by the *Dissenters* and their Advocates for their Admission into Places. What I find in the Bishop of *Bangor's* Answer to Dr *Snape*, and to the Representation of the *Committee* ought in justice to first be Considered.

“ *Men ought not to be deprived of their Natural Rights.*”

A natural Right of Civil Offices seems to me a very wild Notion. In a mere State of Nature
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there was no such Right, because there were then no such Offices. And when Men enter'd into Political Societies, the greatest part of their Natural Rights were of Course deposited in the Hands of their Civil Governours, the more effectually to enable them to answer the Ends of Society, and protect the Properties and Persons of their Subjects: Of which Number this Right (if it may, tho' improperly, be called Natural) must be presum'd to be one. For Men once incorporated into Civil Society, to pretend a Natural Right to carve for themselves, and assume what Offices and Employments they think fit, is indeed to Subvert that Society, and return again into a state of Nature and Confusion. It must therefore be left to the Civil Governour to appoint subordinate Officers; for without this Right he cannot Govern. He is undoubtedly to judge of the Qualifications of the several Candidates for an Office: And he cannot in any thing more Evidently abuse the great Trust reposed in him, than by conferring Offices on those Men, whose Principles, or Practices have been found destructive to the Community. The *Dissenters* therefore may thank their past Practices, if they are not in this Particular, upon an equal Foot with the rest of their Fellow-Subjects. They have justly render'd themselves suspected both to Church and State; and ought to think they are kindly used, if enjoying in Common all the other Benefits of Society, they are restrained only from the Power of doing Mischief. It does not become Men in their Circumstances to insult the Lenity of the Government; and to claim a Natural-Right inconsistent with the Common *Safety*, to which all Rights of what kind soever must give place. This claim of a Natural Right to Offices, would make

a very ridiculous Figure in *Westminster-Hall*. They would there soon convince a Dissenting Pretender, that he had the same Natural Right to a Man's Estate, as to his Office; and that no Person here in *England* has any other Right to an Office, than by the Favour of the Prince, under the Direction of the Law.

“ *It is equally Reasonable to incapacitate Dissenters*
 “ *from exercising any honest Trade, as to inca-*
 “ *pacitate them from exercising Offices of State.*

To which I am almost ashamed to give any Answer at all: I shall only therefore observe, that *William Penn*, a Privy Counsellor and Minister of State, may possibly appear a more dangerous Enemy to the Church, than the said *William Penn*, if confin'd to Bulk in *Fleet-Street*, or even if strutting with more Grandeur behind a Counter in *Cheap-Side*. The naked Truth is, Dissenting Tradesmen are, and may be useful, but Dissenting Statesmen must be Dangerous.

“ *It is equally reasonable to admit Dissenters into*
 “ *Offices of State, as to make use of their As-*
 “ *sistance in a Critical Juncture, when the Soci-*
 “ *ety must even be undone without it.*

I blush to give an Answer to this likewise: I shall therefore only observe, that Cases of Necessity have been of great use to his Lordship of *Bangor*, and us other honest *Whigs*, upon very important Occasions; but that it is not very Logical in us to infer what may be done in Cases of no Necessity, from what must be done in Cases of Necessity.

“ *Every one of us would think it unreasonable to
 “ be excluded Places, were it his own Case.*

To do, as we would be done by, is a very Excellent Rule ; but Self-Love makes it a little difficult in the Practice. For as a Merry Bard observes

——— *No Man turns
 The Point upon his own Concerns.*

It must also be observed, that however true this Rule may be in a Moral, yet it does not always hold in a Political Sense. It is indeed the Foundation of Justice and Charity between Man and Man. But in Political Cases there is a third Party concerned, I mean the PUBLICK, to which all private Considerations must submit. Publick Offices are a Publick Trust : And it may be reasonable for me to exclude some People from Offices, tho’ I would not be excluded my self, because the Publick Good may necessarily require it. And this is certainly much more justifiable, where the true Cause of such Exclusion arises from the Party himself who is excluded. This I take to be the Case of the *Dissenters*, who, if they may seem to be hardly used in this Particular, ought to thank themselves ; but can neither with Reason complain of the Unkindness of Private Persons, or of the Publick Justice. However, for once, I will make the Case my own, and suppose my self a *Dissenter* : And in these Circumstances cannot think it very absurd to reason thus. I have already a full Liberty to Worship God in my own way ; this was formerly the utmost of our Demands. A Place may gratifie my Avarice or Ambition, but nei-

neither make me a happier Man, or better Christian. The Variableness of Human Affairs, the Uncertain Tenure of a Place : The In's and Out's I have observed of late, give me no very Advantageous Idea of a Place-Monger. It is a frail Felicity, and not worth my seeking. As the Primitive Christians are the best Patterns a good Man can follow, so I am verily persuaded, had they been happy in such an ample Indulgence as we now enjoy, they would not have set their Hearts so much upon this World, as to give Jealousies to those about them, by attempting to wrest out of their Hands the Places and Preferments of the State. Could they have escaped the Bar, they would never have aspir'd to the Bench ; but would have been content to have left the Reins of Government in the Hands even of their Heathen Magistrates. While the Church of *England* is uppermost, I am secure of its Indulgence : But should any one Sect of the *Dissenters* by being admitted into Places, in time gain an Establishment, if I should not happen to be of that Sect, and if I may judge of the Present by the Past, I have great reason to apprehend the utmost Severity of Persecution. Many Thousands of his Majesty's good Subjects, both Churchmen and Dissenters, neither have, nor desire Places ; why should I distinguish my self from the common Herd, and by my Pride and Sufficiency make my self Ridiculous ? It is true I am excluded from some Beneficial Places ; but by this I escape many Others both troublesome and expensive. I am content therefore with my own Lot ; I submit to the Judgment of my Superiors, and will readily Sacrifice my own little Private Interest to the Publick Peace and Safety. I cannot

not conceive such Sentiments as these would at all mis-become an honest and Conscientious Dissenter.

“ *The Test-Act ought to be repealed ; because by it*
 “ *the holiest Institution of our Religion, the*
 “ *most Sacred Thing in the World, is debased*
 “ *into a Political Tool, and Engine of State.*

I leave it to the Divines to determine whether this Act deserves this severe Charge ; as I leave it to the World to judge whether this Earnestness of the *Dissenters* to repeal it, be out of Zeal for the Honour of that holy Institution, or whether the true Motive be not their own Dear Self-Interest ? The Repealing that part of the Act will give me no great Uneasiness, provided an effectual Method be found out to Answer clearly the same End, and exclude the *Dissenters* from Offices and Power. I must own, I was in some hope of a substantial Equivalent for the *Test-Act*, since his Lordship assures us in his Answer to Dr. Snape, p. 47. *That other Tests might be thought on agreeable to Christianity and Humanity, which might be a truer Security to the Established Church than the Present is.* But when I read his Lordship's Answer to the Committee of Convocation, p. 193. Where he informs us that *every Security which debars Men from their Civil Rights, is an unjust and false Security ;* I plainly discover'd what sort of Equivalent we were to expect. For these *Civil Rights* are the same, which his Lordship in another Place calls *Natural Rights*, viz. *The Rights of the Dissenters to Civil Offices, tho' excluded by the Civil Power.* This Notion of a *Civil Right* to an Office, directly in Opposition to the *Civil Authority*, seems to me another Paradox, which I must own I cannot easily comprehend. And what Security that can be

be to the Church, which admits *Dissenters* into Place and Power, and puts them into a Capacity to destroy it, is to me equally unintelligible. I despair therefore of any fair Equivalent for the *Test-Act*: And I hope the Wisdom of our Legislators will permit it to continue as it now stands; and not suffer themselves and the Nation they represent, to be deceived with any treacherous, delusive Equivalents.

I am the more encouraged to hope this, because this very Parliament in the Act for the further Security of his Majesty's Person and Government, *Anno 1. Georgij. p. 328.* in Affirmance of the *Test-Act* continue to oblige all Persons in Office to receive the Sacrament according to the Usage of the Church of *England*. As I cannot therefore suppose they will so soon destroy the Work of their own Hands, so I may have leave to presume they will not think themselves treated with any great Decency, when they are thus charged with making the holiest Institution of our Religion, the most Sacred Thing in the World, a Political Tool, and Engine of State.

Thus far the Right Reverend Bishop. Of whose writings you know, *Sir*, I have been a sedulous Reader. And in many passages of those very Writings I have learnt to pay no manner of regard to the Authority of Great Names. I hope therefore his Lordship will excuse me, if I cannot Submit to such Weak and frivolous Reasons in a Case not very becoming his Sacred Character.

I shall now, *Sir*, trouble you with some short Remarks upon a late Pamphlet, which is esteem'd
so

so Considerable by the *Dissenters*, that it has appeared already in a second Edition. The Title of it is, “ *An equal Capacity in the Subjects of Great Britain for Civil Employments, the best Security of the Government.*”

To prove this equal Capacity to be the best Security to the Government, he gives us these four Reasons.

“ 1. *It adds to the Power of the Crown.*

“ 2. *It Secures the Establish’d Church.*

“ 3. *It would Reconcile and bring in many of the Dissenters.*

“ 4. *The Acts made to the Contrary, have never been the Produce of Mature Deliberation, but of Party-Zeal.*

1st. It adds to the Power of the Crown. To Support this Proposition he Reasons thus. “ *That it would add to the Power of the Crown, and strengthen the Constitution, it is humbly presum’d your Lordships, (for you must know, Sir, this Pamphlet was writ for the Edification of certain Prelates) will allow; because such Power and such Strength is always in proportion to the Number, who Support it. All such Acts therefore which devest a Part of the Community of their Share in such Support by Disqualifications, are equally Prejudicial to the withdrawing so many from the Community, or diminishing the Whole by so many as are under these Disqualifications.*

Upon

Upon which I shall venture to make the following Observations. First, that adding to the Power of the Crown, and strengthening the Constitution, are quite different Things; because adding to the Power of the Crown may, and often does weaken the Constitution. As our Constitution is a Mix'd or limited Monarchy, adding to the Power of the Crown may alter the Balance, and tend directly to Subvert it. Secondly, That tho' the Power and Strength of the Crown may be supposed in Proportion to the Number of those who Support it, yet it does not from thence necessarily follow, that those Numbers should all be capable of Offices; because a Subject who is incapable of Offices, may yet have his Share in the Support of the Crown. Thirdly, that Acts which disqualify Men for Offices, are not equally prejudicial to the withdrawing so many from the Community, because there is a wide difference between excluding Men from Offices, and excluding them from being Members of the Community. He who is no Officer, is as much a Member of the Community, as he who is; neither does it diminish the Whole, because some part are not Officers.

He next proceeds to inform us, “ *That there are great Complaints from the Lieutenancy of the Tower-Hamlets, and divers other Places, that they cannot Officer their Companies by reason of Parliamentary Disqualifications.* In fine, he would have us understand that the present Officers of the Militia, are as defective in their Loyalty as in their Military Skill; and that the *Dissenters* out of their publick Zeal for their Country, and for the Honour of those useful Bands of Domestick *Janizaries*, will graciously supply those Defects, and furnish us with

D

Cesars,

Cæsars, and *Alexanders* from the *Meeting-House*. But it seems their Assistance is no less wanted in a Civil, than in a Military Capacity. The Common Council of the City of *London* invoke their Aid. “ *Many Wards cannot find the Number it is* “ *their Priviledge to be represented by, that are Quali-* “ *fied for such a Trust, by their Natural and acqui-* “ *red Endowments.* For my part, I shall not pretend to state the Natural and acquired Endowments of a Common Council-Man, but I may venture to say, that we our selves should be void of all *Endowments, both Natural and Acquired*, if we should permit these worthy Loyalists to carry once more the Regalia of the City to a Conventicle. But this Author goes on, and assures us, “ *That* “ *great Grievances arise in the Commission of the Peace* “ *by reason of the Disqualifications. Many Places in* “ *the Country have not Persons fit and Skillful to act* “ *in such an Office.* In short, that the Bench will not be decently filled without admitting the *Dissenters*; and that the Toleration is not perfect, till they are allowed to wrest the Law, as they do the Gospel. But to be a little more serious with this Pamphleteer. I desire he would consider that this Supposition upon which all these Reasonings are founded, is by no means True. That the Government is not reduced to such Necessity for faithful Officers either Civil, or Military. That such an Insinuation is a vile Calumny, and is in Effect nothing less than calling Three parts in Four of the Gentlemen of *England* perjur'd Villains. That he does no great Honour to the Government, by reducing its Friends into so narrow a Compass. That if it were thus deserted (which is apparently false in Fact) yet applying to the *Dissenters*, and putting Weapons into their Hands, would not be the proper Method of curing

curing this Evil. That it is the Interest of any Government to reign in the Affections of the People. That Nothing can be so disagreeable to the Bulk of the Nation, as to see the *Dissenters* at the Head of Affairs. That ever since the Church and Monarchy which they destroyed, have been happily Restored; every successive Reign has carried on the Publick Affairs without their Help. That it will be very difficult to perswade the Members of the Church, that their Assistance is more necessary in this Reign, than any other; or that they will now in good Earnest support what they so lately overturn'd. That giving the Establish'd Church any Cause for new Jealousies, will necessarily create Factions, and Animosities, and may be attended with the worst Consequences. And lastly, That nothing can be properly said to strengthen any Government, which, to oblige a few, will give a lasting Uneasiness to the Body of the People.

“ Secondly, It adds to the Security of the Church.

This is at first sight so gross a Paradox, that I should not have troubled you with it here, had not the Author before-mention'd Brav'd the World with it, and with a peculiar Confidence affirm'd that his Reasonings upon his Head amount in a true and proper Sense to a Demonstration. After having with great accuracy (as he imagines) explained to those Learned Prelates, the true Meaning of the Word *Church*, he further proceeds to instruct their Lordship's in a Doctrine, which must certainly appear very new and surprizing. Be pleas'd to take it in his own Words. “ *This Undertaking then, is only to offer it with all Humility to your Lordships, that the Church will be render'd much more*

“ Secure by every thing that is an Addition to the Power
 “ of the Crown ; because upon such an Establishment, it
 “ is so interwoven and made a part of the Civil Consti-
 “ tution, that one cannot Subsist but by the other : And that
 “ therefore the Security or Danger of the Church will
 “ always be, as is the Security or Danger of the State,
 “ because they are Inseparable. And he afterwards
 “ adds, In a true, therefore, and proper Sense it will
 “ amount even to Demonstration, that every Addition to
 “ the Power of the Crown, must be an Addition to
 “ the Security of the Church, Upon all which I shall
 observe,

First, That notwithstanding his Nicety about
 the Term *CHURCH*, he is pleased to use the
 Words *Crown*, and *Civil Constitution* in the same
 Sense ; tho’ without the help of Second-sight, it is
 easy to discover the Difference. Secondly, That
 not having proved under his first Head, that a Ca-
 pacity in the *Dissenters* for Civil Employments does
 add to the Power of the Crown, this Foundation
 failing, his Super-structure must of Course fall to
 the Ground. Thirdly, I must deny that the *Church*
 is so interwoven with the Civil Constitution, that
 One cannot subsist but by the Other : For before
 the Church was incorporated with the State, or Ci-
 vil Constitution, it did for many Ages subsist, and
 if deserted and thrown off by the State, it may a-
 gain subsist ; as it actually did in Queen *Mary’s*
Reign, and in *Cromwell’s Usurpation*, tho’ Perse-
 cuted by the State. I must add also, that there is
 in such Cases Authority enough left in the Church
 to prescribe such Rules and Orders as are necessa-
 ry to its Being. Fourthly, If the Church be (as
 he expresses it) so interwoven with the Civil Con-
 stitution, it is by Consequence the Duty of the
 Civil Constitution to protect, and defend it. From
 whence

whence I shall beg leave to infer, that the Civil Constitution should by no means admit of a Repeal of those Laws which are the Fences and Barriers of the Church against its worst Enemies. Fifthly, That his Maxim with which he is so much delighted, is so far from being true, that an Addition to the Crown may often diminish the Security of the Church: Was not the Doctrine of *Passive Obedience* an Addition to the Power of the Crown? But did not this very Doctrine in the Reign before the *Revolution* endanger both Church and State? Repealing the several Limitations in the Act of Settlement, or even making the Prince Absolute, must certainly add to the Power of the Crown; but will it in any Sense add to the Security of the Church? He must therefore permit me to believe, that any Excess of Power in the Crown will be equally dangerous to Church and State. Nothing can be more entertaining than to see a *Dissenter* so zealous for the Prerogative; and Men that are upon Record for **Antimonarchical** and **Republican** Principles, value themselves upon the highest flights of Tory-Loyalty.

I cannot here omit taking some Notice of what he calls a Memorable and ever to be lamented Instance, of the Union of the Church with the State, in the unhappy Reign of King *Charles I.* One would imagine the *Dissenters* should not be very fond of mentioning that Reign upon this Occasion. “*But (says he) as the Crown shook, the Church trembled, till at last they both fell into the same Grave.*” Had he been so kind to have inform’d us who were the Grave-Diggers, it had saved me some trouble, and had been an effectual Answer to his whole Book.

But

But he goes on, “ *And for that desirable End, i. e.*
 “ *the Security of the Church, the Nation has not only*
 “ *all the Security and Assurances imaginable from the*
 “ *Nature of the Things, and the very Genius and Tex-*
 “ *ture of the Constitution, but from the repeated most*
 “ *Gracious Promises from the Throne.* I know not
 indeed what the Genius of our Constitution may
 do; but the Nature of Things at present does
 not afford us a very pleasing Prospect of Security
 to the Church. We pay (as it is our Duty) all
 possible Deference to his Majesty’s most Gra-
 cious Promises. But must the Church for this rea-
 son depart from its legal Securities? His Majesty
 has also Graciously Promised He will defend our
 Liberties: We are perfectly satisfied he will. But
 must we therefore Repeal *Magna Charta*? Since we
 are upon this Head of the Security of the Church,
 it may not be improper to hear the whole Body
 of the *Dissenters* themselves in their Humble Suppli-
 cation to Her late Majesty in relation to the Bill to
 prevent *Schism*, Printed for *A. Bell*, 1714. p. 28,
 29. Whose kind Concessions may possibly give some
 light into this. “ *Even those People (say they) who*
 “ *we are reproached with serving, and for adhering to*
 “ *whom in Civil Affairs, we have been misrepresented*
 “ *to Your Majesty, have on all occasions assisted our E-*
 “ *nemies to take from us all Power of making our selves*
 “ *Considerable in Civil Affairs, by entirely disabling us*
 “ *to appear in Publick Matters, removing us from all the*
 “ *Advantages of Magistracy in Towns, or Offices in the*
 “ *Court, whereby we might be capable by our Numbers*
 “ *to give any Weight on one Side, or on the Other. In*
 “ *doing which, however they have (tho’ perhaps against*
 “ *their Will) done us this Favour, that being so entire-*
 “ *ly under their Foot, with respect to Power; the Charge*
 “ *of being Dangerous either to Church or State can never*
 “ more

“ *more be brought against us.* From which Passage it is very natural to infer: First, If serving those People, (*i. e.* the *Whigs*,) is here called by the whole Body of the *Dissenters* a Misrepresentation and Reproach, they would do well to consider, how sincere a Part they have Acted by their *Whig-Friends*. Secondly, If the said *Whigs* assisted their Enemies in taking from them all Power of making themselves considerable in Civil Affairs, by entirely Disabling, &c. Those very *Whigs* I hope will remember, since the Case is not in the least alter’d, and since the same good Reasons remain in full force, to act Consistently with themselves. Thirdly, If being under Foot with respect to Power, is a good Reason why the Charge of being *Dangerous* either to Church or State cannot be brought against them; do not the whole Body of the *Dissenters* seem to allow, that if they were not under Foot with respect to Power, the Charge of being *Dangerous* to Church or State might be brought against them? As the *Whigs* therefore have done them the Favour to acquit them from this odious Charge, I hope they will always continue in the same good Disposition to their *Old Friends*. For as the *Toleration* is a Right no good natur’d Christian will ever deny; so such unreasonable Demands of Place, Power, and Authority from Persons so justly suspected, is a Favour no Good Churchman will ever grant.

“ *Thirdly, It would reconcile and bring in Many*
 “ *of the Dissenters.*

As this Author has now drop’d all Pretence to Argument, and is content to swell the remaining Pages of his Book with hypocritical Complements,

plements, wit-less Raillery, and mis-applied History, I shall trouble you, Sir, with some few short Remark only upon the choicest Flowers in this his wonderful Performance. “ *Lenity and Humanity* (says he) *are certainly the best Method of making Profelytes.* And again, *the Establihed Church never got Ground by any Oppressions or Unkindnesses whatsoever over those not in her Communion.* This may be all very True; but with what Face can it be applied to the Point in Hand? How can that Church be charg’d with want of Lenity and Humanity, who so freely Tolerates her weak Brethren, and reserves only that Power to her self, which she knows the *Dissenters* would turn against her? Is Indulgence Unkindness? Is Self-Defence Persecution? If they are now treated Hardly, When will they allow they are kindly used? where will their Demands end? What Limits will they fix to their restless Importunity? A Connivance was once all they ask’d. In a Toleration they were as happy as they could wish. Now they grasp at Place and Power, and to deny them this new Demand of Civil Preferments, is the utmost stretch of Severity. But will they ask no more? Will they sit down Content when they have gained this Point? Will they not cast a longing Eye after some other Emoluments, which have formerly yeilded a very plentiful Harvest to their Fore-Fathers? Thus, Sir, like sturdy Beggars, they grow Insolent if we deny; and if we grant, each new Concession is an Encouragement to ask more. They gain ground upon the Good Nature and Easiness of their Church-Friends, and have now the Modesty to perswade us to dis-arm our selves, and trust our valuable Blessings in their Hands. This Author with his Demonstrations can easily Convince us
that

that they will renounce what they Covet, that they will Support what they hate.

In the next Page he makes a very awkward Excuse for his Friends in the **Rebellion of Forty One**. "*The Mischiefs (says he) which ensued, how grievous soever, are rather to be deem'd the Effects of Resentment than Principle.* Not of Principle? Read, Sir, their Sermons, and their several Public Acts in those Times, where they justify their Proceedings before God and Man. But is their Resentment so terrible? Could nothing satisfy it in those Days till it ended in a Tragedy, which no History can Parallel? And shall the Church neglect to Guard her self now against their future Vengeance? Believe me, Sir, when they are once invested with Place and Power, they will never want Matter for Resentment; but to give a Loose to it in such horrid Instances, is by no means a Proof of very Christian Principles. When we shall sensibly feel such Effects of their Vengeance, it will be a poor Consolation to the Sufferers, that their Principles are less wicked than their Actions.

In the following Page he has the Confidence to boast of the firmness of the *Dissenters* in the Reign of the late King *James*, "*to the true Interest of their Country, and that they generously fell in with all proper Measures for preserving the Church.* And he hopes "*we will Remember it with the utmost Gratitude.* We do indeed Remember it; but one would imagine this Author thought our Memorys very short, or that we could not Read: But we know very well who were Carefs'd in that Reign, who were the Tools of Popery, and who were the Favourites of that Court, when the Church was forsaken by
E these

these her pretended Friends, insulted and triumphed over by her Enemies, and lay Disconsolate and Forlorn under the Frowns of her Sovereign. Be pleased, Sir, to hear an Historian, who was never thought a Friend to Persecution. They (*i. e.* The *Dissenters*) were not content with a silent Acceptance of this Liberty, but were drawn in, to make Insults of Joy for it, and presented Addresses of Thanks, so flattering, and so fulsome, that some of them were thought Offensive to the very Ears of the King himself. *Compleat Hist. of Eng. p. 465.*

“ *Fourthly, The Acts for Disqualifications have*
 “ *never been the Produce of Mature Delibera-*
 “ *tion, but of Party-Zeal.*

Under this Head, Sir, you might very justly expect to find some Observations upon the Time when those Acts were made; upon the Persons who promoted their Passing: Upon the true Design and Intent of the Law-givers, and the extent and consequences of the Laws themselves. But not one word of all this. Our Author is pleased to fly from his Text, and put us off only with his usual Railing, and some few general Reflections. As therefore there is nothing proved, you will not require I should give any Answer.

I cannot forbear mentioning one happy Discovery he has made, that the surest Expedient to prevent the fatal Consequences of a standing Army, is admitting the *Dissenters* into Civil Employments, which will be entirely useless, if his Majesty shall commit the Defence of his Kingdoms to their Zeal and Capacity. “ *For they (it seems) are the only Loyal, the only able Men? 'Tis they alone are furnished*

“ *nish’d with natural, acquir’d Endowments. They are*
 “ *the Better-Half of the Kingdom. The greatest part*
 “ *of his Majesties Subjects.* Were they unbound,
 releas’d from these legal Fetters, not only the
 Church, but his Majesties Throne should be founded
 on a Rock.

It is very Merry in the *Dissenters* and their
 Friends, to inform us of their Great Numbers,
 their Influence, and their Abilities, and to plead
 these as Reasons why we should trust them in
 Offices, which are certainly very good ones why
 we should not. Their Name, it seems, is Legion;
 they are a Great and Numerous Body; and they
 make only this one modest Request that the Mem-
 bers of the Church would arm them with Power.
 It is worth our while to observe how dextrously
 they can shift the Scene, and appear Considerably,
 or very Inconsiderable as it serves their present
 Turn. This Author who has Charitably given his
 Advice to several Rt. Reverend Prelates how they
 should behave themselves when this Affair comes
 before their House, is pleased to call the Dissenters,
 “ *a great Part of his Majesties Subjects, half the Sub-*
 “ *jects of the Kingdom,* with many other pompous
 Expressions to recommend his Friends, and place
 them in the best Light. But when they appeared
 as humble Supplicants to her late Majesty in the
 Affair of the *Schism Bill*, in what different Figure
 do they represent themselves? “ *We are (says they)*
 “ *not seperated from, but promiscuously scattered among*
 “ *all your Majesties Subjects, and in all parts of your*
 “ *Dominions we have no Public Heads, Public Stock,*
 “ *or Public Strength, nor do we ever seek any, but are*
 “ *intirely Naked and Defenceless, Disconcerted, Divided*
 “ *from one another, and too much uneasy with one another.*

“ *The Scandal of so much as thinking our selves Powerful,*
 “ *much less of being so in reality, will not lie against us,*
 “ *even our Enemies themselves being Judges. Vid.*
 Humb. Supplicat. before cited, &c.

’Tis now, Sir, high time to relieve you from this Author: Your Good Nature (I know) will pardon me, for the Persecution you have suffered. Had not this Piece been thought of some Moment not only by the *Dissenters* themselves, but by Others, who I am sure ought to know better, I had not troubled you or my self, with a Book which carries in the very Title-page so many palpable Absurdities. I must only now beg your Patience while I consider two or three Arguments on that Side, which I have met with in their Pamphlets, or in Common Conversation.

“ *They who are equally serviceable to any Govern-*
 “ *ment should be equally intitled to the Favours*
 “ *of it.*

This cannot be true of those, who by their Professions or Practices have forfeited their Rights to those Favours. It is with a very ill Grace They can make any new Demands of Power, who in the Memory of many now living, over-turned both Church and State. To ask it, is something more than a Modest Request, to grant it an Unpardonable Folly.

“ *The Test-Act by obliging Men to receive the Sa-*
 “ *crament as a Qualification for an Office na-*
 “ *turally tends to make Men Hypocrites.*

It must here be observed, that neither the Makers of that Act, nor the Act it self, nor the Person

son who Administers the Sacrament to an hypocritical Receiver, are the efficient Cause of his Hypocrisy ; but that must be look'd for in another Place, viz. in the vicious Disposition of the Receiver. It were easy to shew that other Acts of Religion may give an accidental Occasion of Sinning to a Person of evil Inclinations. But to stick more closely to this Point of Hypocrisy, let us suppose it a Rule (as it is in some Parishes) that none of the Poor shall receive the Benefit of the Sacramental Charity, but those who actually receive the Sacrament at that time. (*I wish this may escape the Censure of adding Temporal Sanctions to Christ's Laws.*) Let us then suppose, that some of the Poor People have no other View in Receiving the Sacrament, but to get the Money. Shall we say that the Minister who prescribes this pious Rule in his Church, is the Efficient Cause of the Hypocrisie of those Persons ? Will any of their Guilt stick upon him ? Does not this Rule more naturally tend to create true Piety than Hypocrisy ? And if it should accidentally in some Instances be the unhappy Occasion of the Last, must the use of this good Rule be laid aside because some wicked Persons to whom it was applied abused it ? May not this pious Incentive to so holy a Duty, be a Means to create a better Disposition in those Minds which before were little affected with Religion ? May not the Horror of that Guilt which must necessarily arise in the Mind of an Hypocritical Receiver, bring him in time to a more serious Temper ? May not that Solemn Occasion revive in him a Sense of his Duty, and make him who before was an Hypocrite, for the time to come sincerely Religious ? But be that as it will ; nothing can be more evident than that the Guilt of his Sin is to be imputed to himself alone.

“ *Where*

“ *When the Disaffection of so many in the Church is*
 “ *so very apparent, it is unreasonable to deprive*
 “ *the Government of the Assistance of the Dissen-*
 “ *ters, its best Friends.*

I beg leave *a Pari* to Reason thus. The Disaffection of many of our own Country-men is very apparent. It is equally plain, that many Foreigners amongst us, are very good Friends to the present Establishment, and the Government may some time or other want their Assistance: must we therefore Repeal the Clause in the Act of Settlement, that excludes them from Offices? I hope we are not yet ripe for this, tho' the Inference is equally good in both Cases. We ought certainly to have at least the same Care for our Religious, as for our Civil Rights. Our Zeal for the Government will by no Means excuse our making a Sacrifice of the Church, nor will our Excess of Loyalty atone for our want of Religion. The Government is not wholly deprived of the Assistance of the *Dissenters*, because they are excluded from Offices; they have still Liberty to Support it with their Purse, and Arm in its Defence when it shall be in Danger. The Question is about the **COMMAND** only. We are indeed jealous of their Power, but shall gratefully receive their Assistance, and shall never be angry with any laudable Zeal they shew for the present happy Establishment. Yet we cannot believe that there is so great a Dearth of Loyal Church-men, but that there may be enough found to fill all vacant Places. I may possibly allow that some Church-men are Disaffected to the Government; but I must deny with all my Might that the *Dissenters* are its best Friends. I have not yet forgot the seasonable Loyalty of so many of My
Lords

Lords the Bishops, and that well-tim'd Declaration which so effectually reconciled the Affections of the Common-People. Neither will it be very improper to remember here, that the Deputy-Lieutenants, Justices, and all other Officers who served his Majesty faithfully ~~in~~, at their own Expence in that Critical Juncture, were every one of them Members of the Establish'd Church. They expose the Weakness of the Government who suppose it cannot subsist without the *Dissenters* being in Offices. A Rebellion prosperously defeated, has never yet failed of Strengthening the Interest of the Conqueror, of gaining Converts to his Party, and lessening the Number of his Enemies. We must not therefore presume that his Majesty's Friends are decreased since the Rebellion : And I will take the Liberty to say that Popular Schemes must daily augment them. So that we have no reason to doubt but such Multitudes of Loyal Church-men will be ready to support the Government under any Exigency, as will render the *useless* whom we know to be *Dangerous*. The *Dissenters* (I hope) will pardon me this Expression, since I borrowed it from their Fore-fathers ; and cannot think it an improper Caution here to that *Noble House* who were no longer admitted to be Peers, when these State-Aspirers were dignified with Offices, and enrich'd with Preferments.

To conclude. If admitting the *Dissenters* into Military Employments will be a Nursery to breed up Iretons, and Cromwells : If the only Improvement that can be made to the Miseries of a Standing Army, is to have that Army composed of Dissenting Officers : If a Dissenting Justice will be as Odious to the Common People, and as troublesome

to all about him as a Committee-Man : If their being admitted into the Magistracy, will add a Weight to their Errors, and if the true Secret of this Attempt. (let them pretend what they will) is to Model Corporations, to Augment their Numbers, to Strengthen their Interest, and by these Means to gain a Majority of their own Creatures in the *House of Commons*, which may hereafter as effectually as heretofore, submit both the Church and Crown to their Mercy ; I will leave it to you, or any impartial Man to judge, whether we ought not to be very well advised, and very secure of their good Faith and Sincerity before we admit so great an Alteration in our Constitution, and throw up those Fences which the Wisdom of our Fathers thought so necessary, both against our Popish, and Dissenting Adversaries ; since we and our Posterity may repent too late of any inconsiderable Easiness in an Affair of this Moment. And now (*Sir,*) I hope you will believe me, when I assure you, that I neither writ this, or my former Letter, out of any personal Prejudice to the *Dissenters*, whose just and reasonable Claims I shall never oppose ; but out of that sincere regard which every good *Briton* ought to express to the true and lasting Interest of his King, to the Peace and Quiet of his Country, and to the Security of that Religion, whose Doctrines the *Dissenters* themselves approve ; and whose Discipline comes the nearest of any to the Primitive Times.

I am, *Sir*, &c. &c.

Jan. 2d, 1717-8.

F I N I S.

CORPORATION & TEST ACTS.

THE London Society of Deputies of the Three Denominations of Dissenters — Presbyterian, Independent, and Baptist,—having, with Deputations from the General Body of Ministers, and other Bodies or Societies, representing the various leading Denominations of Protestant Dissenters, lately met, and formed a UNITED COMMITTEE for the purpose of seeking relief from their legal disabilities, they have thought it expedient to state briefly their present legal position, and some of the reasons on which they urge their claim to be restored to equal rights in the community.

IT can hardly be thought extraordinary that Protestant Dissenters should come forward to claim for themselves the benefit of the principles of civil and religious liberty, and to aid in their enforcement and practical application, at a time when the subject is on all hands eagerly discussed; when profound peace and the oblivion of many old animosities and party prejudices allow room for impartial consideration; and when even that body of Christians, who have ever been the most prominent objects of exclusion, have on more than one occasion obtained the favourable sanction of a majority of the House of Commons.

The origin of the proscription of Protestant Dissenters from the free enjoyment of the common rights of citizenship, is singular when contrasted with the moral and political importance of the measure, and the pertinacity with which it has been subsequently maintained. It seems to have arisen from no maturely weighed consideration even of political differences—from no acknowledged or even openly asserted demerit on the part of the proscribed. In its principal features it was, in fact, accidental; the effect of a remarkable concurrence of parties and circumstances,—in which it was not thought safe to trust even the Sovereign with the discretion of choosing his own servants,—by which even the sufferers were, by intrigue or delusion, made instrumental to their own and their children's degradation, to the imposition of a test highly objectionable in a religious point of view, and not even necessary to the end avowedly proposed—that of excluding the Roman Catholics from office. The measure, however, once carried, has been perseveringly maintained and defended; and enactments, arising out of the animosities, fears, intrigues, and jealousies of a turbulent reign, have been preserved and extolled as the bulwarks raised by deliberate wisdom for the permanent protection of the constitution.

The civil proscription of Protestant Dissenters arises solely from the Sacramental Test imposed by two statutes; the second of them directly and positively aimed against the Roman Catholics; and the other apparently connected as little, in its original object, with the permanent exclusion of Protestant Dissenters. These statutes are commonly called the *Corporation and Test Acts*.

The first of these Acts, which was passed in 1661 (13 Car. II. stat. 2. c. 1,) arose from the temporary design of expelling from

corporate offices the adherents of the late government, with a view to the safety of the newly restored dynasty. In all its clauses but one, it looks to the object of settling by authority who were the unobjectionable holders of these offices, to which there were of course, at such a period, rival pretensions. Commissioners were by the Act appointed for the settlement of all questions of this sort, and they were directed to administer to those whom they should establish as the proper possessors of offices, the oaths of Allegiance and Supremacy, together with an oath against taking arms against the King, and a declaration, disavowing the "Solemn League and Covenant;" which two last requisitions have been since repealed by an act passed 5 Geo. I.

e. 6. No Sacramental Test was imposed upon these persons; but, nearly at the end of the statute, there is a clause which provided that, after the commission had expired, (1633,) no person should be placed in any office of magistracy, or place or employment in the government of a corporation, who had not, within the previous year, taken the Sacrament of the Lord's Supper according to the rites of the Church of England, and who will not, when elected, take the oaths of Supremacy and Allegiance, and the further oath and declaration above mentioned. The election of any one not so qualified is declared void. It is worthy of observation, that the Sacramental Test was not imposed on those against whom the act was doubtlessly intended by the original framers to be directed, namely, the then holders of offices who were not friendly to the court:—and, as a key to the whole, it may be added, that this clause was no provision made or contemplated by the constitutional party in the Commons, but was an after-thought of the House of Lords, assented to by the Commons only by way of compromise, to get rid of what the most ardent admirer of the constitutional precedents of this reign will hardly now justify, a proposal by the Lords to vest in the crown the perpetual nomination to corporate offices.

The second of the statutes affecting Protestant Dissenters is the Test Act, by which they are excluded from all civil and military trusts and offices. This Act was passed in 1672 (25 Car. II. c. 2.) and is entitled, "An Act for preventing Danger which may happen from Popish Recusants." It provides, that every person admitted into office, or receiving pay from his Majesty, or holding any command or place of trust under him or in his household, shall, within six months, receive the Sacrament according to the usage of the Church of England, and produce a certificate thereof, under the penalty of incapacity; and, in case of acting without compliance, of being subject, on conviction, to disqualification from serving in any court of law, or acting as a guardian, executor, or administrator, or receiving a legacy, or bearing any office in England or Wales, and to the payment of a fine of 500*l*., the whole of which goes to the informer.

At the time of passing this Act, it is obvious that a different state of parties and of moving causes existed; the constitutional

party's distrust was directed to a different quarter; and the position of political affairs, with a king whom the nation could not trust, and an army under the command of the Duke of York, raised without the sanction of Parliament, and filled with foreigners, may excuse the alarm and eagerness of self-preservation which existed on all sides. The Act, it is to be observed, did not exclude Nonconformists from Parliament, in which strength was at that time wanted for the purpose of controlling the King and the Court, not the Dissenters, who made common cause with the constitutional party. The statute which was passed five years afterwards (30 Car. II.) furnishes a clue to discover the feeling which dictated the Test Act. It recites that the previous Act "had not had the desired effect, by reason of the free access such Popish recusants have had to his Majesty," and extends the exclusion to Members of Parliament, but in such a way as not to include the Dissenters in its operation. It drops the Sacramental Test, and prescribes a Declaration against Catholicism, to be signed as the qualification for filling a seat in Parliament, and also for acting as a sworn servant of his Majesty, which last provision has been since repealed: the Act now, therefore, only operates to exclude Catholics from Parliament.

It may be further added, that a Bill for the relief of the Protestant Dissenters passed the Commons, and was entertained by the Lords in the very same Session in which the Test Act passed, that a motion for incapacitating them to sit as Members of Parliament was lost by a great majority; and that several other measures pointing to their relief were only frustrated by the manœuvres one while of the Court, and at other times of its opponents, each jealous of the other's intentions, and apparently considering that the wish of one party was at any time a sufficient reason for the distrust and opposition of the other.

These details are referred to merely for the purpose of meeting the argument of antiquity and authority (if such an one should be resorted to), by shewing that in these events no one ought to see a deliberate unprejudiced constitutional intention permanently to exclude Protestant Dissenters from civil offices or trusts, and that the fair historical conclusion is, that the Test Laws (enacted under fears at one time of the personal adherents of a disbanded government, and at another of a distrusted Court) originated in emergencies unconnected with any permanent apprehensions by the constitutional party of the Protestant Dissenters, and that their original enactment presents as little solid ground for the present distinctions between members of the community, as would the alleged adherence of their ancestors to the Red or White Rose.

By these laws, however, a great and influential body of the community were and have continued to be humbled and oppressed. All corporate, magisterial, judicial, and public appointments, were thenceforth by law monopolized by the

members of the Established Church, and it was not to be wondered at that the appetite for persecution should grow with its indulgence.

The legal situation of Protestant Dissenters has, since the Revolution, been one of gradual improvement, so far at least as regards the free exercise of their religious worship, under the operation of Acts of Toleration, which have, for the most part, been fairly and liberally administered. The registration of their places of worship, and the qualification of their ministers, are now regulated in a sufficiently convenient manner, and they have little to complain of on this head, with the exception of a few particulars, --- such as the want of provision for the registration of their births—the refusal of the rites of burial to unbaptized persons, which has not unfrequently been persisted in—the enforcement of marriage according to the rites of the Church—and the requiring of a licence or qualification from Dissenting Schoolmasters, which seems to impose on them an unnecessary burthen, and which may sometimes occasion great annoyance and inconvenience.

Their situation, however, as to legal capacity for civil offices, has remained the same, or nearly so, although their relief was recommended by William the Third, in one of his earliest speeches to Parliament; was distinctly sanctioned by George the First on the accession of the House of Brunswick; has been repeatedly approved and recommended by several of the most enlightened Ministers of the Crown and Prelates of the Church, and has been the subject of repeated discussions in Parliament; on one of the latest of which occasions (1789), a Bill for their relief, by the repeal of the Sacramental Test, was rejected only by a majority of twenty votes.

Many circumstances have, for several years past, combined to induce Protestant Dissenters to abstain from urging their just claims, for a restitution of their civil rights, further than by repeated Petitions to the Legislature on the subject. While unable to see a prospect of successful exertion, they have not been clamorous in their importunities, nor active in keeping up the memory of former animosities. Having now, however, in reliance upon the increasing lights which reason, justice, and policy have thrown upon these subjects, determined that the time is come for no longer pursuing a passive course; they feel that they shall be wanting to themselves, to their children, and to the cause of true religion, of peace, of charity, and freedom, if they do not boldly and unremittingly urge those claims, the justice of which they can hardly persuade themselves will be denied, and so far at least raise their protest against a system which they believe to be founded in impolicy and injustice.

They have this advantage, at least, in discussing the question since the passing of the Toleration Acts, that all degree of legal offence which was supposed to belong to Nonconformity has been removed. They have the authority of Lord Chief Justice Willes for asserting, that their toleration "is grounded

on natural rights;—that the highest natural right is, that of conscience; and that it ought, therefore, to receive a large and liberal construction;" and of Lord Mansfield, that their worship is now "not only exempted from punishment, but rendered innocent and lawful—that it is *established*."

In the exercise of the right of private judgment, which even positive law thus allows them freely to avow and act upon, and under the influence of that spirit of reformation, on which the founders of the Church of England rested and defended their separation from that of Rome, the English Nonconformists profess, and openly declare, and act upon their dissent from the Church now established by Law. They cannot, therefore, without a violation of their sincere convictions, offer that conformity which is, as they submit, unnecessarily and unjustly required, to enable them to exercise the rights, and enjoy or aspire to the honour of citizenship in a free country; and so far the profession of their opinions is, notwithstanding the Toleration Acts, fettered and made the subject of legal persecution, and, what perhaps is worse, a spirit of party distinction and exclusion is established, and spreads itself over the whole community.

It is true, that to avoid the shame of open intolerance, and in order to avert the many and serious evils which would result from the general enforcement of the Corporation and Test Acts, (if indeed such an attempt were practicable in the present state of society and public opinion,) laws have, for a period of upwards of eighty years, been from year to year passed for the purpose of indemnifying, under certain conditions, those who offend against the provisions of these penal statutes. Such laws may surely be taken as a confession by the legislature, that the practical enforcement of the penalties which they suspend, is not necessary to the safety either of the Church or the State; but the Dissenter may be allowed to observe, 1. That these laws do not appear upon the face of them to have any relation to *conscientious* nonconformity. They recite the omission, contemplated by them as the subject of relief, to be "through ignorance of the law, absence, or unavoidable accident." They profess, therefore, to shelter the careless or indifferent, but not the conscientious; and they proceed, so far as regards Dissenters, (if they relate to them at all), upon the assumption, in itself unauthorised and untrue, of inadvertent omission and consequent intention on the part of the person, who claims the benefit of them, to qualify within the period granted by the indulgence of the Legislature. 2. Where previous conformity is actually called for, they are useless; and, for instance, no Dissenter can be elected into an office for which there is a rival candidate, on whose behalf any one chooses to give previous notice of his opponent's disqualification: and thus is left in the hands of any single individual the arbitrary power of wantonly, and at his own caprice, preventing not merely a Dissenter, but an inadvertent Churchman, from filling a situation

to which his station, talents, or the good opinion of his countrymen, may entitle him to aspire. 3. Their legal efficiency is, in many respects, imperfect; and it is, in particular, considered doubtful, whether these Indemnity Acts prevent an action and judgment for the unmitigable penalty of £500, if the party offending should refuse or neglect to take the Sacrament for six months after the passing of each annual act, or if he commit the offence after the passing of one annual act before the enactment of another, and if in the meantime judgment be obtained. 4. They place the most important liberties on a tenure of mere sufferance, on a yearly charter, of which accident or caprice may prevent the renewal. Precarious liberty is a contradiction in terms; and it should be recollected, that liberty which depends upon suspensive acts of this sort is at all times so far precarious, that it is at the mercy not of the united legislature of the country, but of any one branch; which may, without the concurrence, and it may be in opposition to the wishes, of the other, refuse its assent. If liberty were the rule, and exclusion were the exception, the sufferers would at all events have the consolation of knowing that the sentence passed upon them must receive the sanction of all the branches of the legislature.

Finally, Dissenters see in such concessions, no relaxation, but rather a confirmation of the obnoxious principle of exclusion;—the Indemnity Acts suspend but do not remove those harsher enactments, the enforcement of which would be dangerous to the rights of property, and outrageous to public opinion;—they are a licence given, not a liberty recognized;—they treat as matter of offence what Dissenters consider as the exercise of the unalienable right and the undoubted duty of an accountable being;—they recognize, in fine, the principle, alike oppressive and impolitic, by which a vast number of deserving members of the community are shut out from the general blessings of good government, and subjected to degradation, which no conduct on their part has merited, and which they cannot be expected patiently to endure.

The Dissenters are, they conceive, warranted, by the following resolutions of the House of Commons, in the assertion that laws of exclusion and disability, especially such as are levelled against opinion, impose on those who seek their continuance, the perpetual duty of proving at every moment their necessity, and of pointing out the social and civil demerits of those who are subjected to their operation;—“That all citizens of the same state, living under the same government, are entitled ‘*prima facie*’ to equal political rights and privileges.”—“That it is at all times desirable to create and maintain the most perfect identity of interest and feeling among all the members of the same community.” Other reasons, it is plain, must, in this case, be sought to justify the continuance of the statutes in question, than those which entered into their original formation; but the Dissenters, feeling that the burthen of proof does not lie with them, at the same time that they shrink from no examination, do

not feel themselves called upon to tender any vindication of their conduct in society, and still less any justification of their religious principles, for which they hold themselves accountable to no earthly tribunal.

They claim as their *right*, inasmuch as it is their *duty*, as moral and intellectual beings, in common with all their fellow-men, to exercise and act upon their best judgment and the dictates of their consciences in matters of religion, neither influenced by favour on the one hand, nor exposed to proscription or humiliation, on the other. They deem actions, not principles or opinions, the safe and legitimate subjects of the civil magistrate's jurisdiction. They deny the title of the professors of any particular form of religion, on account of numerical majority, to monopolize to themselves, or only dole out by favour, the common privileges of society; and they consider the assumption of authority, whether to punish or tolerate another in the performance of his religious duties, an unwarrantable pretension to infallibility, a cruel injustice towards individuals, and, finally, a grievous insult and injury to religion itself. As friends to the purity and simplicity of *religion*, they feel, in common, as they have reason to believe, with many pious and consistent Churchmen, that the Test selected for effecting their exclusion, is peculiarly objectionable. They believe that this country is the only one in which such a connexion has been formed between the most solemn religious ordinance and the qualification for secular employment, often necessarily conferred on persons whom the Church, in the unfettered administration of her ordinances, would receive with caution; and they esteem such a connexion a profanation, against which, as Christians, they would, under any circumstances, be bound to protest.

In point of *policy* and *expediency*, they urge the abandonment of restraints upon conscience, as the fruitful sources of division, weakness, and discord in the State; as encouragements only to insincerity and dishonesty; as exclusions of the conscientious man, not of the indifferent or unprincipled. While, on the one hand, the allurements of patronage offer, or ought to offer, no facility for the addition of converts of any worth to an established faith, proscription tends to blend with conscientious dissent the appearance of political disaffection. "Conscience," to quote once more the words of Lord Mansfield, "is not controllable by human laws, nor amenable to human tribunals. Persecution, or attempts to force conscience, will never produce conviction; they are only calculated to make hypocrites or martyrs."

They appeal, further, to *experience*. They point to other countries, where the principle of free and equal indulgence to conflicting opinions has been avowed and acted upon to its fullest extent. They know no instance where it has not produced results equally cheering to the Christian, the philosopher, and the politician;—they know none where exclusion has not been productive of evil. In their own country, they ask whether any one measure of concession has led to mischievous results; whether the public prosperity has been weakened by the removal

of causes of division; whether, on the other hand, justice and liberality have not always produced the happy fruits of confidence, union, charity, and Christian affection? If Dissenters are admitted to have been loyal subjects and useful members of the community, while marked with the brand of degradation, they are surely not likely to sink in character by being treated with confidence and justice.

They would ask the Legislature to have regard to *consistency*. In Scotland no such laws are found necessary to protect an Establishment. In Ireland, where, if any where, the Established Church would seem to need a more especial defence, no Corporation Act ever existed: the Sacramental Test existed not till 1703, and was repealed in 1780. Yet an Irish Dissenter, on coming to this country, finds himself proscribed by the law, as does also a member of the Scotch Establishment, in whose case the anomaly is still more striking. Though declared on the statute book of England unworthy to fill the most petty civil office, Dissenters are allowed, without any test, as Members of Parliament, to propose and enact laws which they are represented as unworthy in any way to execute, but they are moreover debarred from aiming at those higher honours to which parliamentary eminence would under other circumstances naturally lead. Public attention has been directed to the revision of our code;—anomalies and absurdities have been swept away;—and what can be a more suitable time for relieving it from the odious traces of religious proscription? Why, if penal laws are really thought necessary to the protection of the Church or the State, should their enforcement be left to the caprice of an individual? Why, in fine, if the answer to the complaints of the Dissenters be the virtual suspension of her penal enactments, should not England have the credit of their annihilation; and free her statute book from idle distinctions and harassing restrictions and disqualifications.—which exist only by the mere naked right of possession,—of which no one ventures to advocate the application,—and which would be expelled with ignominy or contempt by enlightened renovators of the law?

Thus feeling,—and believing that, in advocating, to the best of their ability their own particular claims, they are serving the general cause of freedom and liberality,—the Protestant Dissenters of England respectfully, but earnestly, call upon the Legislature to take the obnoxious statutes before referred to, into its consideration;—to relieve this country from the reproach, which belongs to her alone, of profaning (as they humbly conceive) the holy ordinances of Christianity for secular ends;—and to declare and act upon those great principles of religious liberty, which in so many other countries have been already recognized, and which are, in their judgment, essential to the peace and virtue and happiness of mankind.

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