
AN
EXAMINATION
OF THE
SCRUPLES
Of Those who Refuse the
OATH of ALLEGIANCE.

LICENSED,

April 16.
1689.

James Fraser.

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OF THE
SCRUPLES
OF
THOSE who Refuse to Take
THE
Oath of Allegiance.

By a DIVINE of the Church of England.



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A N
E X A M I N A T I O N
O F T H E
S C R U P L E S of those who Refuse to Take
T H E
Bath of Allegiance.

IF those who have protested against the Proceedings of the *Convention*, had published their Reasons for so doing, it would have been an easie matter to have satisfied the Publick, by examining whether the Grounds inducing them to this Resolution, were solid, or no: But forasmuch as the greater part have acquiesced in the Judgment of the Convention, wherein we have reason to believe they proceeded according to the Light of their Conscience; and the other Party hath not thought fit to publish the Grounds of their dissent; we have, in the matter before us, nothing to examine, but what some of them may have alledged in their Conversations with their Friends, to justify their Protest and Refusal to follow the Sense of the Convention and Parliament.

Scarcely was the Project of the House of Commons for seeling the Government, publicly known, but some most severely condemned their proposing of it to the House of Lords, as offending them in all its parts. They could not endure to hear of an *Original Contract* between the King and the People; they found fault with the word *Abdicated*, which the Commons had made use of to signifie that the late King *James II.* had abandoned the Government of the State: And last of all they could not bear with their declaring the *Throne vacant*. To make void this Vote of the Commons, some Members of the House of Lords propounded a quite different way of proceeding in this Affair; they agreed with the Commons, in declaring King *James II.* incapable of Administring
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the Government; as well because of his Religion, which engageth him to the utmost of his Power to destroy a Protestant State; as for the care he has taken, since his coming to the Crown, to evidence to all his People, that he was resolv'd to overthrow the Government established by Law, to make way for Popery; but that notwithstanding all this, they could not declare that he had broke the Original Contract between him and his People, or deprive him of the Royal Dignity.

Secondly, That his retiring out of *England* into *France*, could not be accounted a voluntary and lawful Renunciation of the Government; and consequently that it could not prejudice the Right he has, during his Life, to the Crown, as being a Right devolved upon him by Succession.

Thirdly, That seeing the Throne could not be said to be vacant, the Prince of *Orange* could not, without injustice, be advanced to the Dignity Royal; because thereby the Right of Succession would be overturned, and the Constitution of the Government changed, by making the Kingdom Elective; nor the Princesses neither, because this would be an invading of her Father's Right, whom Death alone could divest of the Sovereignty.

But being sensible, as well as the Commons had been, that these Suppositions admitted, would subject the Kingdom to inexpressible Confusion; they pretended to remedy this Inconvenience, by declaring the Prince of *Orange* Regent of the State, by reason of the King's incapacity to administer the Government; to grant him all the Rights of Sovereignty, except the Title of King, and to swear to him the Oaths of Allegiance and Supremacy, under the Title of Regent of the Kingdom; which provision seemed to them sufficient to settle the Government on a sure and lasting Foundation, without shaking of any of those Maxims they oppos'd to the Resolve of the House of Commons, as being maintained by the generality of the Divines of the Church of *England*. It was visible enough, that this expedient of the Lords was not sufficient to preserve the Fruit of the Deliverance God had so lately afforded us; and it had been already rejected, as an *unprofitable Device*, by the *Westminster* and *Oxford* Parliaments, *Anno* 1680. Neither did it at all answer the first steps the Lords made, after the Retreat of *James II.* for they immediately took upon them the Government, as being wholly abandoned, and afterwards put it into the hands of the Prince of *Orange*; they desired him to call a *Con-*

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vention. All which Acts of theirs, made it as clear as the light, that they no longer owned the Authority of King *James II.* who had quit the Throne: For supposing the continuance of his Authority, none of these Acts could be accounted lawful, as being so many Attempts against the Sovereignty.

And forasmuch as neither the Commons, nor the greater part of the House of Lords, did ever agree to this Expedient; but following their first Resolutions, have proclaimed the Prince and Princesses of *Orange* King and Queen of *England*, and have ordered the Oath of Allegiance to be sworn to them; it appears that the Scruples of those who propounded the Regency, as an happy Expedient for settling of the Government, were only founded upon the Maxims before mentioned, which they considered as an unmoveable ground to build upon. Wherefore to deliver them from the Hesitations which the proclaiming of the King and Queen, and the necessity of taking the Oath of Allegiance, have raised in their Spirits; we must enquire, whether the Principles they go upon be so immovable and incontestible, as they suppose them to be; or whether indeed they have not built upon false Suppositions. I know there are already several Discourses published upon this Subject, wherein the Proceedings of the Convention are strongly asserted, and many thereby freed from their Scruples, by discovering the Prejudices they laboured under. Yet forasmuch as it is of use to treat still of Subjects, as long as the necessity of further clearing of them continues; I presume I shall not lose my pains in examining them afresh, in hope of propounding something that may satisfy the Consciences of those who have started at the apprehension of these difficulties, which is the main design of this Writing.

The first Question, *viz.* Whether there be an *Original Contract* between the King and People; the Supposal of which, the Commons made their Foundation, is the easiest thing in the World to be determined? To convince any rational Man hereof, it is enough to put him in Mind only of the Oath, the King swears to his People, and the People to their King at his Coronation; which is the Seal of that Original Contract. There are two Sorts of Oaths, according to the Consent of Divines; the one Judicial, taken at the Command of a Judge; the other Extrajudicial, which is taken by the Agreement and Consent of two Parties, who agree mutually to take it; which is therefore also called

led Conventional, *Sylvest. de Juram. c. 1. §. 3.* This being granted, it cannot be denied, that there is an *Original Contract* in all Kingdoms, where the People take an Oath of their Princes; the Oath on their Part being nothing else, but the solemn Confirmation of the Obligation they enter in, to perform their Part of the Conditions, which are imposed upon them by the State. 'Tis very strange, that in a Matter thus clear and Self-evident, as this is, some should have express'd themselves in a flouting way, That the House of Commons would have done well, to have sent the Lords a Copy of this *Original Contract*, drawn from their Registers, wherein they ought to have preserved it, if any such were. They shewed sufficiently with these Words, That they never had a right Notion of the Government of *England*, nor of the Nature of the Coronation-Oath; which, to a Demonstration, proves this Contract. They might have learnt this Point, from the noted *Mirror of Justice*, Chap. 1. Sect. 2. where after having shewed, that God had subdued the Ancient *Britains*, because of their unjust Government, to the Power of the *Saxons*, who conquered *England*, there being no less than forty of them, that were Companions in the Sovereignty; *These Princes* (saith he) *after great Wars, Tribulations and Troubles, suffered for a long time, chose themselves one King to reign over them, to govern God's People, and to maintain and defend their Persons, and their Goods in Peace, by Rules of Law. And at the Beginning, they made the King to swear, That he should maintain the Christian Faith with all his Power, and govern his People by Law, without having regard to the Person of any one, and that he should be obedient to suffer Right, as well as his People.* Than which a more true Notion cannot be given of the Government of *England*, its Original, and the Obligation that lies upon those, who take the Coronation-Oath.

I know there be some Men, whose Skulls are thick enough to maintain, That the Oaths Kings take at their Coronation, do not at all oblige them to their People; but only their Consciences, with Respect to God. But the four following Considerations are sufficient to disabuse them of this Illusion they put upon the State and Kings themselves. First, It is false, that Kings do not swear to the People; 'tis to them they precisely direct their Promise, with the Oath that confirms their Promise and Obligation, *Bracton Lib. 3. Cap. 9.* Secondly, If this Divinity will hold, Why then are

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not the People as well disengaged from the Obligation that is upon them, to perform the Promises they have made to their Kings, and confirmed by their Oaths, as being only obliged in Conscience to God, but not to the King?

Thirdly, They may be convinced of their Error, by the plain sense of the Oaths that Kings take in Elective Kingdoms, these being the express words of the Oath taken by the Kings of *Poland*: *If I shall violate this my Oath, the Inhabitants of my Kingdom shall not be bound to shew me any Obedience.*

Fourthly, If it be said, that this indeed is so in Elective Kingdoms, but that it cannot take place in those where the Crown descends by Succession; this Supposition of theirs, that Succession alters the nature of the King's Oath, is altogether false and ungrounded: We have an instance hereof, in the Kings of *Spain*; who when they are Crowned Kings of *Aragon*, which they possess by Right of Succession, the People, after that the King has taken the Coronation-Oath, speak in these terms: *We who are as powerful as You, but are more considerable; constitute You our King, for to preserve our Laws and Liberties; which if You do not do, this goes for nothing.* And certainly it is a very pretty Idea these Men frame of the Royal Oath: A King obliges himself before God, in the most solemn manner imaginable, to keep the Laws; but for all this, say they, there is not the least tie upon him to his People. If this were indeed the case with Kings, they had much better, after having performed this Ceremony, openly protest, That what they had done, was only in mockery and masquerade; for that though they should violate the Laws and overturn the Government, they only in so doing, act according to their Power and Right; and no body can of right say to them, any more than to the Pope, *Why dost thou so?* At least, this would be of absolute necessity to disabuse the People, who, upon the respect they have for an Oath, are apt naturally to conclude, (without doubt by an effect of Stupidity common to all Mankind) That Oaths oblige the Parties that take them, not only towards God, but also to those to whom in particular they are addressed.

I grant, that the Governments which require an Oath from their Kings at their Coronation, have not been careful to subject to it the same Declaration the States of *Aragon* have thought fit to do: However, it is evident that the leaving out this Clause, does not at all alter the case. Thus we see, that in Matrimonial

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Contracts, though the Clause of Divorce in case of Adultery, be not express'd, as indeed it is usual to omit Clauses that are odious; yet cannot we infer from thence, that that Condition is not as expressly to be understood, as if it had been declared in plain words and at large. We read in the *Laws of St. Edward*, which were afterwards ratified by King *William the Conquerour*, and which are to be sworn to, by all Kings at their Coronation, That if the King do not Govern according to the end for which he was con-

Nec nomen Regis in eo constabit, verum nomen Regis perdit.

stituted, *He shall not so much as retain the Name of a King, but forfeits that Title.* So that we see how the fundamental Laws of the Nation do decide the point. The famous *Fortescue*, Chancellor of

England, was so sensible of this Contract, that he lays down in his Book *de Laudibus Legum*, That the Power of the King of *England*, is a Power limited and bounded by Laws, which he cannot change at his own pleasure, and by such Laws as his Subjects themselves desire; and this he calls a Political or Civil Government, and ascribes the Original of all Forms of Government only to the voluntary Consent of the State.

Taking for granted then (as indeed it cannot be denied) that there is an *Original Contract* between the King and People, the Enquiry will be, Whether King *James II.* did not violate that Contract, by breaking the Oath he swore to the People? That he has broken his Oath in all the parts of it, is a thing so evident, that even those who were for his keeping the Title of King, though they thought fit to take from him the Administration of the Royal Dignity, never durst call it in question. The matter of fact was but too apparent, and the effects of it too sad and sensible. Now this supposed, for it needs no proof, Can we rationally conclude that *James II.* has not forfeited the Right and Title of King? If on his part he has broke all the Ties he had engag'd himself in, to his People, Who sees not that in so doing, he has dissolved the Original Contract which he had confirmed by Oath? To say that a Contract may still subsist, though one of the Parties break the Conditions by forswearing himself, is a meer Contradiction; because a Contract cannot subsist, but by performing the Conditions for which it was made at first: So that we cannot doubt, without confounding the nature of things, but that *James II.* by breaking the Engagements he had taken, and confirmed by Oath, has set free his People from their Oath of Allegiance, by which they engaged

gaged themselves to him, only on condition of his performing the Promises he had made to them. In this case it is that *Maxim* takes place: *With him that breaks his Faith, Faith may be broken.* The King promises to Govern according to Law, and upon this account he enjoys the Rights and Prerogatives annexed to the Crown; the People on their part promise Fidelity and Allegiance to him according to the Laws: As soon therefore as *James II.* began to overturn the Laws, as he has done in the most professed manner imaginable, he at the same time also dissolved the Original Contract, by which alone he could demand Obedience from his People, who stand no longer engaged to him by their Oath of Allegiance. What I here alledge, is confirmed by all the Divines of the *Romish Church*, who have not sacrificed their common Sense to Court Flattery. See what *Aneas Sylvius* speaks to this point, *Lib. 1. de Gestis Concil. Basil.* where he relates the Discourse of the Bishop of *Burgoes*: *The Pope is in the Church, as a King in his Kingdom; but to say, that the King has more Power than all his Kingdom, is absurd: Wherefore, as sometimes Kings, for Male Administration and Tyranny, are wholly excluded and turned out of their Kingdoms; so neither can it be doubted, but that a Pope may be deposed by the Church; that is; by a General Council.* Nor do I give any heed to those who attribute to Kings such an unlimited Power, as not to be tied to the Laws; these being only a sort of Flatterers, that speak contrary to their own Sense and Judgment. And after having proved that Kings were originally constituted by the Consent of the People, and that they are subject to the Laws, whereof they are only the Executors, he adds, *But if we see a King that contemns the Laws, takes away his Subjects Goods by force, forces Virgins, abuses married Women, subjecting all things to his Lust and rash humour; Will not the States in this case, being met together, depose such a Prince from his Throne, placing another there, who shall swear to Govern well, and obey the Laws? Surely, as Reason tells us, it ought to be thus: So we see that Practice in such cases, confirms it.* I the rather quote this Authority, because it confirms a *Maxim* acknowledged by all the Ambassadors, Bishops, and Deputies of the Western Church, and by those of *England* in particular, who were present at that Council, and did not in the least question the point; whereas, it is very probable, the Ambassadors of *England* would have opposed it, if they had thought it contrary to the Laws and Custom of their Country. But indeed, with what face could

could they have objected any thing against the truth of this Maxim, when but fifteen or sixteen years before, *England* had deposed *Richard II.* laying down as an unmovable ground, That he was so far engaged to keep the Oath he had sworn to his People at his Coronation, that having broke several Articles thereof, and being consequently convicted of Perjury, they were no longer obliged to own him for their King. We have in *Knibton* the whole process of this Deposition, which deserves to be considered by us in its Principles and Conclusions, as being such, which I scarce believe any dare deny; and the Examples thereof have been so frequent in other Kingdoms, that *Mariana* in his *Book de Rege, Lib. 1. C. 3.* Dedicated to King *Philip III.* examined by his Order, and printed with his Privilege, by his Printer, was not afraid to assert, *If a Prince by his ill Government, brings the State into danger; if he be a Contemner of his Country and Religion, and will admit of no Remedy, that then he ought to be Abdicated, and another to be substituted in his room, as has often been done in Spain; and must justly suffer as a wild and ravenous Beast, exposed to the Darts of all; because divesting himself of humanity, he is turned Tyrant.*

I know there are a sort of People, who suppose they can knock off these Examples and Authorities all at once, by boldly asserting that these Customs and this Doctrine, are only the effect of Popish and Jesuitical Errors: But pray, let such consider, 1. That those of the Reformed Religion in all places, and particularly in *England*, have always approved them, as I shall make appear in the sequel. 2. That the contrary Opinion ought rather to pass for a Popish and Jesuitical Opinion; because it is certain, that those who first maintained it, whatever aversion they might pretend to have against the Jesuits, did defend it in favour of the Jesuits, and to promote their Pretensions; who without this Opinion, could never so securely have advanced their Designs. 3. If this Opinion be once admitted, it will inevitably follow, that neither in *England*, nor any other part of *Europe*, there is, or can be, any lawful Sovereign whom the People are bound to obey, those who Reign at present having no other Right but what they have derived from Princes substituted in the room of those that have been deposed by the State.

This being premised, 'twill be easie to see through the Objections some have made against the word *Abdicate*, made use of by the *Convention*. It plainly appears, that the Commons by that term, meant

meant nothing else but to express King *James* his actual Renunciation, by abandoning the Government, rather than consent to those equitable Conditions offered to him, if he had been willing to return to his Duty, and keep his Oath, whereby he stood engaged to his People. It cannot be asserted without extream impudence, That *James II.* was ignorant of the occasions of complaint he had given to his Subjects, since his coming to the Crown, since the Trial of the seven Bishops, the Prince of *Orange's* Declaration, had in general touch'd at the Breaches made upon the Law. The Bishops also presented a Memorial to the King, wherein they mention'd the chief Grievances the State labour'd under, in ten Articles; and he was so far convinc'd of the Equity of their Demands, that to reconcile those whom he had made averse from him, he began in appearance to re-establish some of the Laws he had overthrown, and to undo some of his unjust and arbitrary Proceedings. But after all, it appears but too evidently, that in all this, there was nothing of sincerity; for he did not think fitting to give any satisfaction as to that point, which was the greatest Grievance of all; but continued in the Resolution of challenging to himself a Power to dispense with the Laws; so that whatsoever he had, during the pressure of his Affairs, repaired, might as easily afterwards be overthrown again, as soon as the danger which threatned him was blown over: And all the Laws since *Henry VIII.* which are the foundation of the Government, were always in the same danger of being repealed, at least dispensed with, at his pleasure. If this had not indeed been his case, it had been easie for him to have calmed the Troubles he had raised, and continued in his Kingdom in peace and safety. But having fixed his Resolution, and Necessity pressing him to alter his measures, he chose rather to quit the Kingdom than his Resolutions. Now that all this is not spoke by Conjecture, appears from his own declared and avowed Principles; for after his return from *Feverham*, was it not fit he should immediately have declared, that he had changed his Resolution, purposing for time to come, to Rule according to Law, and openly renouncing the Arbitrary Power he had arrogated to himself? Was not this the time for him, in pursuance to the earnest solicitations of his People, to declare he would refer all things to the Decision of a free Parliament, and to send out the Writs for their Election, which he had kept back? Surely, a small stock of Prudence, had he inclined this way, had been sufficient to have shewn him, that this

this was the nick of time to put an end to the Fears and Complaints of his People, and confirm himself in the Throne: Whereas instead of taking this natural and ready way, and instead of acquiescing in those equitable Conditions, which the Commissioners he had sent to the Prince of *Orange* had brought him, and which he seemed to have approved as both just and advantageous to him; he still continued in the design of retiring himself, and to leave *England* rather than to change the measures he had taken to oppress them. If we judge without prejudice of this his Retreat, it is natural for us to conclude, That not seeing any possibility of effecting his designs in *England*, he thought best to retire to *France*, and from thence to invade *Ireland* or *Scotland*, there to prosecute his first-fix'd design; hoping that after a more easie inducing of those Kingdoms, (in the state he had put them) to arm against *England*, he might easily oppress that Kingdom also, and reduce them to that condition, as nothing more should be an Obstacle to his Arbitrary Government. When a Prince has overthrown the Laws, and employ'd unlawful Arms to maintain this his Usurpation, if those, who by their Rank and Interest in the State are engaged to oppose themselves to his Violence, oblige him either to betake himself again to the ways of Justice, from whence he has departed, or to quit the Government; is it not evident that he renounces the Government, by refusing to change his former unjust and illegal Courses? Whether he departed out of fear, or any other motive, is not material to this Enquiry; but certain it is, that *James II.* having done both, rather chose to retire himself, than to part with the Resolution he had taken to overthrow the State; being so far from acquiescing in the Remonstrances that had been made to him, and from calling a Parliament, to which he had been so earnestly solicited, and for which he had engaged his Word, that on the contrary, he abandons the Government, and casts himself into the Arms of a Prince that is an Enemy to the Government, and who has always endeavoured to subvert their Laws and Religion: It follows therefore, that he has really *Abdicated* the Government, as the Parliament have declared.

Neither can any difficulty be raised here, concerning *James II.* his abandoning of the Government, because his Retirement was not altogether voluntary, but rather by a kind of force and constraint: For as it is most true, that the essence of Things doth not depend on their Formalities; and that it cannot be denied, but that

that he has always retained, and still doth, his design of overturning the fundamental Laws of the Government, having to this end kept up a standing Army, contrary to the Laws; and not being able to bring about his end, has cast himself into the Arms of the *French King*: All which being evident beyond dispute, the circumstance of his (in some sort) involuntary retirement, which with so much Affectation is exaggerated by some, will be found of no moment. If the People have power to constitute a King, they who have made him so, may without any injustice either lay him aside, or curb his Exorbitancy, in case he attempts tyrannically to abuse the Power Royal: Which is the Opinion of *Thomas Aquinas*, in his Book Dedicated to the King of *Sicily*, L. 1. C. 6. Neither are we to believe, that the People, in deposing of a Tyrant, are guilty of any breach of Faith or Disloyalty, though they had formerly by Oath obliged themselves to him, because he deserves that his Subjects should not keep the Faith they had promised him, forasmuch as he hath not carried himself faithfully in Ruling his People, as the Duty of a King requires; as the same Author continues in the fore-cited place. Cardinal *Arcolus* teaches the same thing, in 2. Dist. 44. q. un. Art. 3. We perceive from hence, that a King may play the Tyrant over his Subjects, as having no Superior to whom they can appeal from him: Wherefore if it happens in a City or Community, that the Prince turns Tyrant, if he have no Superior, in this case the whole Community may justly, and according to right Reason, join together to reduce him to Reason; or if he prove incorrigible, for ever depose him. *Grotius* clearly asserts the same Doctrine, de Jure Pacis & Belli, L. 1. C. 4. §. 13. If a King, saith he, have one share in the Sovereign Power, and the People or Senate another; if the King entrench upon the Power of the People, he may be justly opposed, as extending his Power beyond its bounds; and this I judge ought to take place, notwithstanding what hath been said before, that the Power of waging War is in the King; for that is to be understood with respect to foreign War; it being self-evident, that he who has a share in the Sovereignty, must needs have a Right to defend and secure the same: And where this happens, it is as plain that the King may lose his share in the Government by the Law of War. This Doctrine not only shews that the *English* have justly taken up Arms to oppose the Invasion of their Rights and Privileges, but also that *James II.* who had invaded them, under Covert of an Army raised contrary to Law, persevering in his design of abusing the Royal Power; and chusing rather to leave the Government, than to return to the bounds of Law and Justice; we cannot,

not, without incurring the censure of Vanity, trouble our selves any further about enquiring, whether this his quitting of the Government, was more or less voluntary. When King *Edward II.* being taken Prisoner, and deposed for following the Counsel of the *Spencers*, was obliged by the Parliament to abdicate the Crown, which they bestowed upon his Son *Edward*, Historians tell us, that he refused to consent to any such Abdication; however, because he express'd himself as beholden to the Parliament for conferring the Crown on his Son *Edward III.* the Parliament either satisfied themselves with the Acknowledgment, as a kind of Abdication; or forced him to agree to a formal one; as indeed such an one was formerly to be seen amongst the Rolls of Parliament: Shall we be so weak to think, that the Parliament did much concern themselves, whether this Abdication was more or less voluntary? It appears it was done in a Prison; and after so much repugnancy on the King's side, that it was but too evident he would never have consented to it, had he been at liberty to have made his choice, but would have always continued in his design of confounding the Government, as he had done before. It is therefore apparent, that whatsoever was done on this occasion by the Lords, who went to the King to demand this Abdication of him, was only for to satisfy the Queen; and his refusal would not at all have hindred them from passing the Act, by which he was afterwards deposed.

The third point concerns the *Vacancy of the Throne*, which seems to overthrow the Notion of Succession, and that common saying in successive Kingdoms, That *the King dies not*. To which may be answered, 1. That this Saying has neither all the Truth, nor all the Use which is commonly attributed to it: Sure it is, that it is founded on a new Notion, *viz.* That the Coronation of a King is only a simple Ceremony; whereas in ancient times, the Reign of Kings bore date from the Day of their Coronation; *Du Tillot* the French-man, affirms it was so in *France: Recherches*, L. 2. p. 154. and the Learned avow the same concerning the Kings of *England*; of which, if any desire to be further satisfied, they need only consult the publick Records of this Kingdom. Besides, we know that the Death of a King puts an end to the Authority of Judges derived from his Commission; which could not be so, if the Royal Authority did not die with the King, and revive again upon the declaring of his Successor. However it be, it cannot be denied but that the Commons have express'd themselves with a great deal of Prudence and

and precaution; and it is matter of wonder, that those who have censured this Expression, did not consider, that it was not possible to make use of a more proper term, in those circumstances: It preserved the Notion of Kingly Government, which they thought necessary to preserve; it implied that the Throne was to be filled some way or other, whether by placing the next Heir upon it, or to place the Prince of *Orange* with the Princess, as afterwards was done. We may also observe, in Justification of the wise Conduct of the Commons, that the pretended Prince of *Wales*, was so generally taken for a Supposititious Prince, that even amongst those that declar'd themselves for a Regency, there were very few that were not for rejecting him; some of them, for that supposing he were Legitimate, yet being educated in the Popish Religion, he would be no less incapable of the Government, than his Father *James the II.* and others, because the Jealousies of his being supposititious, were much encreased since his being carried into a Foreign Land, and Enemy to the Government. Now what more rational Conclusion could in this Case be resolv'd on, than to declare the Throne vacant?

But, say some, suppose the Prince of *Wales* ought to have been excluded as Supposititious, which was in the Power of the Convention to do, had it not been more natural to have followed the Law of Succession, which supposeth that the Throne cannot be vacant, as long as there are lawful Heirs, whose Rights we have sworn to observe, by swearing Allegiance to *James II.*? This Objection, tho' at first Sight it may seem of some moment; yet, narrowly look'd into, is of no Solidity at all. For, First, it is certain, that a King who forfeits his Kingdom upon the Account of being a Tyrant, at the same time forfeits his Rights, both as to himself and Posterity. Indeed, common Sense assures us, that a State, which has been oppress'd by the Tyranny of a Father, ought to apprehend nothing more than the Succession of his Children. *Romé* was very sensible of this, when she destroy'd the Family of the *Tarquins*, for their Father's Crimes, notwithstanding they had chosen that Family to be their Sovereigns. Tyranny cannot be exercised by one alone; wherefore, a Government that would secure it self, from the Evils incident to the Succession of a Son, descend ed from one so dangerous to the Community, are oblig'd, at the same time they free themselves of the Oppressor, to exterminate a great Number of those, who by Interest, Compliance, or other

Motives, have been the Instruments of the Fathers Oppression, and who might probably introduce it again, having a Sovereign disposed that way.

Secondly, It is not true, That the Oaths whereby we stand engaged to the King and his Successors, are absolute Oaths, and such as suffer no restriction: For it is evident they are conditional, and that they imply, that the Father, to whom the Oath is sworn, shall govern the Kingdom according to the Laws prescrib'd to him. These Oaths are an Expression of the Confidence the People have in the Reciprocal Fidelity of their Prince, to whom they swear Allegiance; but cannot be of any larger Extent, than the Oath sworn to the Father, which Oath is conditional. The Promise made to the Posterity of a Man, supposeth the Father's faithful Performance of his Promise, and his Posterities Capacity to govern the State; for they may become incapable of governing several ways. Bishop *Bilson*, p. 240. agrees, that extreme Weakness and Folly, or Phrenzy, are sufficient Causes to deprive Princes of their Right of the Sword. He maintains, That if the lawful Heir of any Crown be a Fool; or if he, who is crowned, afterwards becomes distracted and besides himself, the Kingdom may proceed to the Choice of another by common Consent and Advice: He doth not say, That in this case it is necessary to set a Tutor over him, but to substitute another in his Place. Let us take a view of another case, that is yet more considerable. If a Prince hath, during his Fathers Life, engag'd himself in a League with the Enemies of the State, and left his own Country with Design to invade it at the Head of its mortal Enemies, Shall we say, that because he is the Eldest Son, the People are obliged by their Oath, to admit him for their King, to resign themselves to his Conduct, and acknowledge his Authority? I alledge this Example (which by the way justifies the Proceedings of the *Westminster* and *Oxford* Parliaments about the Exclusion of the D. of *York*) only to make it appear how far we are mistaken in maintaining, That the Oaths which include the Heirs of the King, to whom Allegiance is sworn, are absolute Oaths, and such as admit of no Restriction.

Thirdly, Those who are acquainted with the History of *England*, must needs confess the Truth hereof. We know that *William* the Conqueror left four several Sons at his Death, the Eldest, *Robert Duke of Normandy*, who had been then five Years in the Holy Land; and *William* the Third Son, who was at that time in *England*,

England, and whom the Parliament chose, to the Prejudice of his Elder Brother, for their King, upon his solemn Promise to reform the Disorders his Father, *William*, had caused in the Government, and which he had kept up, by his being almost continually in Arms. Shall we say, that in this Interval between the Death of *William* the Conqueror, and the Coronation of *William* II. the Throne was not vacant? If by virtue of the Oath sworn to *William* the Conqueror for him and his Heirs, the Throne were filled, How could the English be said to fear the tottering Condition of *Diu sine Re- being long without a Government?* as *Matthæw of Paris* *genuine vacillare.* expresses himself. And if they thought themselves engaged to *Robert* by Oath, how was it they so unanimously proceeded to the Election of *William* II. It is apparent that they acted thus from this Perswasion, That though they were engaged to take one of *William's* Race to be their King, yet were they not bound to take the Eldest; as fearing from his former Behaviour, that he would follow the steps of his Father, and continue to oppress them. There be two sorts of Vacancies; one which the Canonists call *True*, and the other *False* or *Interpretative*. A Bishop that is turn'd Heretick, the Fact being so notorious, that it is not necessary to proceed to a Trial, his See is thereupon, without any more a-do, declared Vacant; according to which Rule, the Vacancy as to *James* II. is evident. But in Cases where there can be no Succession, without a mutual declaration of Engagements, whereby the Successor binds himself to his People, we must of necessity own that there is a kind of interpretative Vacancy during that interval.

The Condition of a Kingdom, is very different from that of a particular Inheritance: For though it be in the hands of a Prince, yet it is not in his power to alienate it; neither can he possess it, but under certain Conditions imposed upon him, and for the performance of which he takes a most solemn Oath; he cannot enjoy the Crown, with the Prerogatives thereof, without performing the Duty he has bound himself to: And in case he should tell his People, that he doth not think himself bound by his Oath, and openly declare, that he is resolved to break the Laws and oppress his Subjects, I don't believe any can be so stupid as to imagine, that after this Protestation, his Subjects are still obliged to acknowledge him their lawful Sovereign. This being so, we must acknowledge that the Convention, (especially considering that the absence of the Princes of *Orange*, who therefore could not, during

this interval, take upon her the Care of the Government) had all the reason in the World to pronounce the Throne Vacant.

Fourthly, We find that after all, the Convention have carried it with that moderation, that they have very little or not at all entrench'd upon this prejudicate Opinion; for they placed the P. of *Orange*, with the Princess his Consort, on the Throne; 1. With the Consent of the Princess her self, who could never think to sit so sure there, if she were not assisted by the Valour and Heroical Qualities of the Prince her Husband. 2. Without entrenching upon the Right of Succession, which they have kept in the same Channel; so as the Princess *Anne* has all the reason in the World to be satisfied, with the regard the Convention has had for her Interests. 3. They have given another mark of the Care they had to preserve the Succession, because they postpone the Children of the Prince of *Orange* by another Wife, if he should outlive the Princess his Consort, to the Heirs of the Princess *Anne*. Let us compare the great Care of this Convention, with the Proceedings of that Convention which made choice of *Henry VII.* to the prejudice of the Princess *Elizabeth*, who was the next Heiress, and swore Allegiance to him, before he was married to that Princess, and we shall find that the present Convention has made use of its Right with a great deal more moderation, than was done at that time, and in Circumstances that bear a great resemblance with ours.

These Proceedings of the Commons having been approved by the greatest part of the Lords, and these two Bodies which represent the whole State, having agreed in maintaining the Maxims I have laid down, it would be a hard thing to imagine how any Scruples could be left in so easie and evident a matter, did not we know the strange efficacy of Prejudice upon the Minds of Men. It was proper for those who have propounded their Sentiments in either of these Bodies, whereof they are only Members, to conform themselves to the Resolves of their Body, there being no other means to give peace to a State, than that the lesser Number in all Assemblies, give way and submit their Judgment to a plurality. It is lawful indeed to oppose a Resolution before it be determined, but there is no disputing of a Resolution carried by a Majority; If any will needs protest to shew that they have no share in the Resolve, and thereby signify to Posterity, that they foresaw the ill Consequences of it, they may do it; but after all, they must submit

mit themselves to the Law the Morality has ratified. I do not see how any other way can be thought of, to preserve the Government under which we are resolved to live. To say that we are willing to own the Government, and obey it, but cannot for all that swear we will do so, is a thing repugnant to common sense: For how can we refuse to promise to do a thing in the presence of God, which we are resolved to do? And to say, that we suppose we may live under a Government, without promising Obedience to it, is the most monstrous and incongruous thing in the World: And I question whether any Man can be so stupidly ignorant in the Affairs of Life, as to imagine that any Government should be satisfied with such a disposition in its Subjects.

I doubt not but those who by their Scrupulosity have suffered themselves to be drawn in not only to protest against these Proceedings of the Convention, but also to express their backwardness to take the Oaths required of them, think themselves to have good reason for their so doing; tho' indeed it appears that their Scruples are supported by nothing but meer prejudice. Some think the Church of *England* entertains other Sentiments concerning the Rights of Sovereignty, than all other Divines, whether Papists or Protestants, do; and that according to her Hypothesis, it is never lawful with Arms to oppose the Enterprizes of a King; who, in all his Conduct, shews himself for arbitrary Power, or to lay him aside. Others again believe that this their Doctrine has now obtained the force of a Law, since the Long Parliament was pleased to pass an Act somewhat to that purpose. Yea, there are some who maintain, That the Allegiance they have sworn to *James II.* does in Reason and Equity hinder them from engaging their Fidelity to *K. William* and *Q. Mary*, as the Parliament has decreed: These are the most considerable Difficulties, which hinder some scrupulous and nice Persons from acquiescing in the just and wise Determinations of the State: We may justly say this in favour of them, That they propose these Difficulties with all the Modesty imaginable, and seem very far from condemning the Sense of the Publick, or from the least inclination of troubling the Peace of the Government; which gives good hope they will be the more easily satisfied.

That the Church of *England* does maintain Opinions concerning the Rights of Sovereignty different from what are received by all the rest of Christendom, whether Papists or Reformed, is a strange

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supposal. What proof can they shew us, to make us believe, that the Church of *England*, in a matter relating to Policy, should undertake to oppose the Definitions of all the wisest Lawyers, in condemning the Right which People have to rid Themselves from the Oppression of Tyrants? Whilst all others of the Reformed Religion, agree with the Divines of the Church of *Rome* in this point, which depends only on the Knowledge of the Constitution of Governments, and about which the Gospel affords us none but very general Rules; for, as Dr. *Hammond* saith, Jesus Christ does not meddle with the Temporal Government of this World, on 1 Cor. 7. 22. What reason had the first Reformers in *England*, to maintain this Paradox, in favour of those Princes which Govern tyrannically? None but Flatterers and fawning Courtiers have front enough to undertake the defence of a Cause, and Maxims, that change Free-born People into meer Slaves, as *Aeneas Sylvius* observes very well; and shall we dare to put such a mark of Infamy upon those illustrious Reformers of this Church, by fathering upon them so strange and degenerate an Opinion? I readily acknowledge, that with other Reformers, they have highly maintained the Authority of Princes, against the Popes pretended Authority, who now, for these six Centuries, has arrogated to himself a Right of deposing Kings; but who sees not, what a vast difference there is, between maintaining that the Pope has no such Power, and asserting the Right of Kings, in opposition to that unjust Pretension; and holding in opposition to what *Bartolus*, and all others learned in the Law, say, That a People who are oppressed by a Tyrant, under the venerable Name of a King, have a Right to deliver themselves from Slavery? The Oaths of Supremacy and Allegiance, were at first prescribed only in opposition to this Doctrine of the *Romish* Church; and if we find any where that the *English* Reformers in the foregoing Age, have writ That the People cannot break the Oath of Allegiance sworn to their King, it was only to beat down the unjust Power the Pope pretendsto, of absolving Subjects from their Oath of Allegiance, upon their being deposed or excommunicated by him. What I here affirm, is so true, that B. *Jewel*, in the Defence of his Apology, p. 16. takes the part of *Luther*, *Melancthon*, and other Reformers, who were falsely accused of fomenting the Rebellion of Subjects against their Princes; and maintains, that the Example of *David*, fighting against *Saul*, for the saving of his own Life, did justify their Opinion in that point,

as well as the proceedings of the Protestant Nobles in *France*, who had taken up Arms in defence of the Laws and their Religion.

Bilson, Bishop of *Salisbury*, highly asserts, That it is Lawful to resist a Prince, who changes the form of Government into Tyranny; or who disregards the Laws enacted by the consent of Prince and People, in prosecuting of his Lust; he maintains, I say, in this case, and some others, That if the Nobles and Commons join themselves in defence of their Ancient Liberties, their Laws and Government, that they cannot be accounted Rebels. He asserts also in the same place, That the People may preserve the Liberty, Fundamental Laws and Form of their Government; which they foresprised, when they first consented. It is clear then, that if our Learned Bishop were yet alive, he would not at all be offended at that principle of the Commons, That there is an Original Contract between the King and his People; *Bilson* p. 520. last Edit. Bishop *Jewel* and Bishop *Bilson* indeed were only private Persons, but what is far more considerable, the whole Body of the Clergy in the Reign of Queen *Elizabeth*, consented to a Subsidy towards supporting the Scotch Protestants, oppressed by their Queen, assisted by *France*; and relieving the States of *Holland*, when they shook off the Yoke of *Philip* the Second, as well as the Protestants in *France*, who were oppressed and persecuted contrary to the Laws, and the Faith of Solemn Oaths; as appears from several Acts of the Clergy, in the Convocations held under Queen *Elizabeth*. Shall any one say, that the whole Clergy were then of Opinion, that it was Lawful to contribute to the assistance of Rebels, against their Lawful Princes? Or is there any other way left to justify them, but by supposing, that as it was Lawful for the Scotch, French and *Hollanders* to defend themselves against Oppression and Tyranny, so was it also to assist them with Money in this their just defence.

Thirdly, *Robert Abbot*, the King's Professor at *Oxford*, and afterwards Bishop of *Salisbury*, published in 1603 his Treatise, entitled, *Demonstratio Antichristi contra Bellarminum*. In the 7th. Chapter of this piece, to refute *Bellarmino*, who maintained, That the Protestants of *France* had been destroyed by the Effects of the Civil War, which their Rebellion was the cause of, and not by the Persecution of Papists, after having proved that the Papists had in time of Peace destroyed an infinite number of them, who could not be accused of having taken up Arms, he lays down, First, That probably this their Barbarous dealing with

with the Protestants, might be the occasion of the Civil War; but that the Protestants had not taken up Arms to oppose the violence of their Persecutors; but having been so barbarously and cruelly dealt with, against all Law and Equity, they judged they did nothing but what they were allowed to do by the Laws of their Country. 2. That the Papists who perished in that War, had been justly killed, because they had taken up Arms against the Publick Faith, against Edicts and Covenants, against the Laws of their Country, against the Prerogative of the Nobility, against the Immunities and Privileges of Cities and Corporations; and all this either by reason of the unjust Usurpation of Princes; or by the licentiousness of some factious Persons. 3. He asserts, that the right of a Prince over his Subjects, is a Political Question, which must be discufled by the Fundamental Laws of each Government; according to which we are to judge whether the Prince has an infinite and unlimited Power; or such as is tempered and allayed more or less by the will of the Lords and People. 4. He lays down also, That the *Roman* Emperours having an unlimited Power; inſomuch that the Lives and Laws of their Subjects did depend on their Will and Pleasure; this was it put the Chriſtians under a neceſſity of ſuffering, without being able to take up Arms againſt them; but that the caſe of the *Dutch, French and Engliſh* Proteſtants was very different, whoſe Princes had only a Power bounded by Law; which bounds whenever they tranſgreſs, the Nobles and Gentry judge they may lawfully repel an unjuſt force, and caſt off the Yoke, which by Violence, and againſt Law, has been put upon them.

He maintains alſo, that the King of *Spain* holding the Principality of the Low-Countries only by Agreement and Covenant; upon his breaking off that Covenant, and acting proudly againſt his plighted troth, it was judged that by ſo doing, he had diveſted himſelf of that Principality; and that conſequently the United Provinces were free to take up Arms againſt him, and deliver themſelves from his Tyranny. 5. He aſſerts the ſame thing, with reſpect to the Proteſtants of *France*, grounding his aſſertion upon the Conſtitution of that Government, where the King's Power was at that time limited, and reſtrained within narrower bounds than now it is, ſince the abolishing of the Eſtates General. 6. Concerning *England* he expreſſes himſelf in theſe terms: *In like manner, our Church, after that ſhe had continued a great while in bondage under Antichriſt,*

Antichriſt, without any worldly aſſiſtance, and begun, through the Mercy of God, to liſt her head above Water, and had obtained a ſecurity by Law, the Nobles and Gentry taking her part; ſhe now began to make uſe of her own ſtrength, and by taking up Arms, to vindicate her Religion now ſecured to them by Declarations, Laws and Privileges, from the unjuſt oppreſſion of Tyrants.

It ſeems to me that if any one ſhould have entreated this famous Doctor, who, from the Chair of Kings Profeſſor, was promoted to the See of *Salisbury*, to give his judgment concerning the matters now in queſtion, he could not have ſpoken more to the purpoſe, or more ſolidly and ſtrongly overthrown the ungrounded prejudices of ſome Divines, which we cannot but look upon as the only foundation of the Scruples, that at this time diſquiet the Minds of ſome good Men. 4. We ſee clearly our *Hooker* in his *Eccleſ. Policy*, l. i. c. 10. maintains, That all Civil Governments are deriv'd from the Deliberation, Conſultation and Conſent of the Parties concerned, and that conſequently the Power of making Laws, belongs to the Body of the Community; and that it is meer Tyranny for any Prince to arrogate this Power of impoſing Laws, except the ſame be exerciſed by Virtue of Divine Authority perſonally and immediately granted to the Prince (which never had place but in the Kings of *Iſrael*) or by the Authority at firſt derived from the conſent of the People. The ſame notion we alſo find in *Peto Bertrand*, Cardinal, concerning Civil and Eccleſiaſtical Power, which ſhews that Reaſon always ſpeaks from the ſame grounds; and all put together is an evident proof, that there is nothing in the Articles or Canons of the *Engliſh* Church that is contrary to the Opinion of other Divines in this matter. It will be to little purpoſe to Object againſt what I have now ſaid, the firſt Canon agreed upon by the whole Clergy in 1640. *For Subjects to bear Arms againſt their Kings, offensive or defensive, upon any pretence whatſoever, is at leaſt to reſiſt the Powers which are ordained of God. And though they do not invade, but only reſiſt; St. Paul tells them plainly, They ſhall receive to themſelves damnation:* But this Canon though indeed it be couched in very general terms; yet it doth not reach the point in queſtion (not to ſay that it is not allowed, and therefore of no Authority.) For Firſt, it ſpeaks of a King, that has not diveſted himſelf of that Character, by a Deſpoticall management of the Government, whereof all his Subjects are Witneſs. 2. It makes no mention of the Body of the Government, but ſimply of

Subjects; that is, private Persons, who may oft alledge specious Pretences for their Rebellion, and who may have just Occasion to complain of the Power which oppresses them. And certainly, whatever may be the Judgment of some Divines of the *English* Church, who have, these fifty Years last past, writ concerning these Points, in a different Manner from what the first Reformers of that Church have done; it is evident, beyond dispute, that the Body of that Church have never been carried away with the Mistakes of these new Divines; as may be made out by the following three Reflections upon the Conduct of the most famous Members of that Church.

Thus we see, that when *K. James II.* having understood the Arrival of the P. of *Orange* at *Exeter*, sent for the Archbishop and Bishops that were then in, or near *London*, for to engage them to publish an Act of Abhorrence of the Prince's Undertaking, and against the Union of the Lords, who had solicited his Aid and Assistance; those Prelates very generously refused to publish any Act of that nature. What other Reason can we conceive they had for justifying their Refusal, but this; That being perswaded in their Consciences, that the King had carried himself with much Injustice towards the State, and that the Prince, and Lords that joined with him, might of right oppose by force, a Violence armed for the destruction of the Laws and Government, they could not give a publick Testimony of abhorring this their Enterprize? Who can question, but that they were well acquainted, that the Laws of *England* were not opposite to the Doctrine of their Church? Now the *English* Learned in the Law read in *Bracton*, l. 2. c. 16. and in *Fleta*, l. 1. c. 17. these memorable Words, *In governing of the People, the King has above him the Law, by which he is constituted King, and his Parliament, viz. the Earls and Barons; the Earls in Latin being called Comites, that is, Companions and Fellows: Now he that has a Fellow, has a Master; wherefore, if the King become lawless, they must give him Law, and curb him.* When we speak of curbing a King who is in Arms, in order to oppress the State, it is evident, that it imports an obliging him by force, either to renounce his tyrannical Courses, or force him to leave the Land.

The second Step of the same Prelates makes it appear, that we have not drawn an undue Consequence from their refusing to publish an Act of Abhorrence; for no sooner had *James II.* quitted the Government, but they accompanied the other Lords at *Guild hall*; where

where they returned publick Thanks to the P. of *Orange*, for having delivered the Government from Popery and Slavery. Now 'tis apparent, they could not have done so, without supposing, 1. That the Arms taken up by the P. of *Orange* and Lords, against *James II.* were just. 2. That he might be lawfully attacked, and forced to Reason, by the Arms of those, to whom they address'd their Thanks for having taken them. 3. That his withdrawing out of the Land was an open Proof of the Character of a professed Enemy of the State, which he had evidenc'd to the last, and was now going to give the Marks of it abroad, by making use of Foreign Arms, when other Means failed him. 4. That they were oblig'd of Right, and in Duty, to join with the P. of *Orange*, to repeal the force of a sworn Enemy to the State; whom neither Reason, nor the Misery to which he was reduced, could withdraw from the Design he had formed, to ruin the Laws, and his Subjects, in order to establish Popery. I refer it to the Judgment of all equitable Men, to consider whether I wrong these reverend Prelates, in drawing these Consequences from their Proceedings, and by supposing that they are directly contrary to the Opinions some will needs affix to the Body of the Church of *England*; when it is apparent, that they could not have more solemnly disavowed them, than they have done by these their Actings.

Nor is this all; but these great Examples given by the Prelates, have been almost generally followed by the inferior Clergy; some, and those the most considerable amongst them, having engaged themselves in Acts of Association; others having express'd to the King and Queen the Marks of their Duty and Fidelity, both publicly and privately, as well in Acts of Religious Worship, in which it cannot be thought they should dissemble, as in political and civil Actions, as far as their Function permits them to have a share therein. This appeared more especially, in the Choice of Members for the Convention, in the publick Prayers for the King and Queen, and by the Writings some have published, in defence of the Proceedings of the Convention and Parliament: All which Testimonies being so publick and general, make it clear as the Sun, that it is an Imposing on the Church of *England*, to say, that she has embraced an Opinion, which a few of her Members have maintain'd, without considering, that it was a sure Means to encourage and establish Arbitrary Power, and promote the Designs of Popery; which could never hope to succeed, but by Arbitrariness, and

an Overturning of all the Laws made in these Kingdoms, for the Preservation of the Government, and the Protestant Religion. I acknowledge, that for these last fifty Years, divers Writings have appear'd in publick, which speak very differently of Sovereignty, and its Prerogatives, from what the former Divines of that Church ever did. It hath been pretended, that Kings were such *Jure Divino*, by Divine Right; that their Power in the Kingdom was unlimited and absolute; that they could not offend against the Laws, as being above them; that in successive Kingdoms, as *England* is, Kings, as soon as born, are possess'd of all the Royal Rights and Prerogatives; that the Heirs of a Crown have as real a Right to it, as a private Person has to his Father's Estate. In a word, they have proceeded to that Excess, as to maintain the Right of Kings, to be a Right immediately conferr'd by God himself; as if Commonwealths were no lawful Governments, nor the Emperor of *Germany* a lawful Prince, because he is made so by Election. But as we should much wrong the *English* Learned in the Law, should we suspect them to be the Authors of these Maxims, when we find Chancellor *Fortescue*, c. 13. asserting, *That the King is raised to that Dignity, to defend the Laws, his Subjects, their Bodies and Estates; and that to this end he is intrusted with a Power derived from the People, so that it is not lawful for him to lord it over his Subjects, by any other Power*; as it was reported in *Calvin's Case*, *Coke*, 7 Rep. fol. 5. which agrees very well with the description of the Duty of a King, which we find in the 17th Chapter of *St. Edward*: So the Authors of these Books will not take it ill, that we cannot impute their extravagant Opinions to the Church of *England*: For, 1. We find, that *Charles I.* who understood the Tenets of the Church of *England*, as well as any Prince could, did confess, that his Power was bounded by Law, in opposition to what *Dr. Ferne* had maintained concerning it. *Charles II.* his Son, owned the same thing, upon occasion of dispensing with the Laws; notwithstanding that *B. Sanderson*, in his Treatise of Conscience, attributes that Power to the King, who (as he saith) is the Maker of the Laws, and whose Power consequently cannot be restrained by them. 2. The seven Bishops, by their Remonstrance made to the King, openly avowed, that the King had no power to dispense with the Laws, for as much as that Power had been declared illegal, by the Parliaments of 1662, and 1672. which shews their renouncing of that Notion, That the Laws, being of the King's own making, he may, when he pleases, dispense

dispense with them. This may be easily gathered from the ten Propositions they offered to *James II.* in the Beginning of *October*, 1688. freely representing to him the Excesses he had been guilty of, and exhorting him to amend them. Who sees not that this Remonstrance is founded upon Principles directly opposite to those of these Novice-Divines; and is as proper to confound them, as it did *James II.* to whom they represented, with much sweetness, the Miscarriage he was resolv'd to maintain by force of these Arms he had taken up, against Law? 3. I would intreat these Modern Divines to compare a little these their Notions concerning Sovereignty, with those the Canonists have advanced in favour of the Papacy; for I have so good an Opinion of them, that I believe they will blush as soon as they have made the Parallel. If we may believe the Canonists, they have the Scriptures, the Fathers, the Canons of the Church, and Reason on their side; and yet it is certain that *Gratian*, and some flattering Monks, are the only Authors of all the pretended Divine Right, of all this Superiority to Councils, of the Right of Dispensing with the Canons, and of that Superiority to all the Laws of the Church, as has been of late very solidly proved by the Divines of the Church of *England*. Is it possible for any one to imagine, that of all the World, none but some few Divines of the Church of *England*, could ever find in the Scriptures, in the Fathers, in Reason, in the Laws, those Rights which they advance, and which they propose to us, as bestowed upon Kings by God himself? Is it possible, it should never come into their Minds, to compare their Opinions with those of the Doctors of the foregoing Age, whose Hypothesis is so contrary to those they have endeavour'd to obtrude these fifty years last past? Is it possible they should not blush, to be termed by *Aneas Sylvius*, the Flatterers of Kings; it being notorious, that a Flatterer imports a Man who has a Design to deceive others, and to profit by the Folly of those he deludes by his Flattery? I heartily wish they may consider of it, if it were for no other Reason, but to prevent the Application might be made to them, from the parallelism of their Opinion concerning Sovereignty, with that of the Canonists concerning the Papacy; of the Judgment of Pope *Adrian VI.* who, after he hath set forth the Vanity of the Proofs and Reasons of the Canonists for the Pope's Superiority to Councils, could not think of any other transcendent Reason, why the number of Canonists that hoisted

the Popes Power, was so vastly encreased, but this: Because, saith he, Councils meet but seldom, and bestow no Benefices; whereas the Pope continues always, and has Benefices ready to gratifie those that endeavour to please him.

The second difficulty that gravels some scrupulous Spirits, proceeds from an Act of Parliament under King Charles II. conceived in these terms: *That it is unlawful for both, or either of the Houses of Parliament, to raise or levy any War, offensive or defensive, against the King.* It seems indeed a hard matter to reconcile the Proceedings of the Convention with this Act of Parliament; yet if I may speak my Judgment of the matter, I think this Scruple also may be easily satisfied, 1. We must remember that the Law speaks only in favour of him, who preserves the Title of a King, and not of one who divests himself thereof, by his unjust and arbitrary Deportment. The Oath of Obedience, which the Bishops swear to the Pope, is couch'd in as binding terms as may be; and notwithstanding, they do not think themselves thereby obliged to obey the Pope after he is turned Heretick. And as *Grotius* has observed, in the place before quoted, Where the Sovereign Power is shared, as it is in *England*, it is always lawful for the Party whose share is invaded, to defend their Right by force: And though the Kings are invested with the Power of waging War, yet this cannot deprive the Body of the States of the Right of defending the Laws against him, when he makes use of his Power of levying Arms to oppress the Laws; without which, the Peoples Rights and Privileges cannot be preserved. 2. The terms of this Oath are to be understood, by comparing them with other Oaths, made in opposition to the Pretensions of the Popes of *Rome*, to a Power of engaging Subjects in Rebellion against their lawful King, in case the Pope has thought good to excommunicate him.

But some will say, That *Charles II.* had quite another end in promoting this Act, and passing it: If that be all, I am willing to grant it; for Popery was engaged at that time to overthrow all the Laws of the Land, in order to set up her self; neither could arbitrary Power (whereof he laid the foundation) ever be established, without taking away this Curb from Kings, and that fear which the Constitution of the Government had opposed to their illegal Enterprizes. For it has always been accounted lawful in *England*, to oppose the overturning of the Laws: Wherefore I do not

not in the least doubt, but that the Papal Party design'd this Law for their own proper use, when time and place should favour them, to the end they might the more securely destroy the Laws that curbed their Desigus. We find another Act calculated for the same Meridian of *Rome*; whereby it was declared High Treason for any one to say that *Charles II.* was a Papist; which notwithstanding was so great a Truth, that in 1670. he entered into a League with the *French King*, to re-establish the Popish Religion in his Kingdoms, and to overturn the Laws. See here the account Abbot *Primi* gives us thereof, in his Book printed in *Italian* and *French* at *Paris* with Privilege of the King, under the Name of Count de *St. Mayole*: After that this Abbot had related the Endeavours of *Colbert de Croissy*, to engage King *Charles II.* to make War with *Holland*, he adds, That he at the same time signed a *Secret Treaty* with *France*; and to make it the surer, the Dutcheff of *Orleans* his Sister, came over to *England*, and propounded to him, in the Name of the most Christian King, to assist him in securing to himself an Absolute Authority over his Parliament, and to establish the Roman Catholick Religion in the Kingdoms of *England*, *Scotland*, and *Ireland*. She proposed also the reducing of the States General, to the only Province of *Holland*, which would be an easie matter for two great and powerful Kings, united together, to accomplish; and that by this means the King of *England* should have *Zealand* for his share, to serve him for a Retreat in case of need. Seeing then that we have reason to suppose that this Act was one of those which were suggested and promoted by the Favourer of Popery, whose intent was to subvert the Laws securely, and without the hazard of ever being call'd to an account for it; and that we ought besides to observe, that the Clause here alledged, is only a preliminary Introduction to the Act concerning the Militia, which thereby was put into the hands of the King; and that after all, the Preliminaries of a Law are never so narrowly examin'd, as the Law it self is, nor consequently of the same Authority: It is evident that we ought always to restrain the Terms of the Law to the Intention of the Lawgivers. Let the Court then have design'd, as far as they could, to allow the King an unlimited Power, by exprelling this Preamble in indefinite and very general terms, Will it follow that this is sufficient to exclude a natural Case, which is always supposed to be

See the printed Relation of this whole matter lately published.

See the *Mercure Hollandois*, vol. 1.

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be excepted? I mean the ruin of the Government and its Laws, without which, it cannot subsist. Let the generality and comprehensiveness of the Terms be urged as much as they can, it will necessarily follow, That those who allow them so great a Latitude as to except the Case now mention'd, must acknowledge, That they have abused themselves in passing this Act, or that others have abused and imposed upon them. Now it is evident, That an Oath that is drawn from me *dolo malo*, by fraud and deceit, in a Case that is in it self altogether unjust, and which I can never keep without destroying all the Laws that are necessary for the support of Justice, is of no force to bind me; which is the Decision Divines and Lawyers give in this case. 2. It is yet more apparent, that this Oath will still be of less force to oblige me, when it concerns a Case directly opposite to the Constitution of the Government; which being regulated by the Laws, cannot preserve it self under Tyranny and Arbitrary Power, if the same may not be resisted. 3. It is certain, that the Proceedings of the Convention have sufficiently made it appear, that this Exception is in nothing repugnant to this Act of Parliament of the 13th. of *Charles II.* no not if we should suppose, that the terms in which it was express'd, might have been capable of abusing those, who had not sufficiently apprehended the design of those Expressions. Let no body object here, That this Clause is necessarily excluded, because it was never excepted against in so many words: For to make this Objection of any validity, it would be necessary to suppose, that the Parliament could be able to grant a Law to *Charles II.* whereby he might surely and securely overthrow the Government; and moreover, that *Charles II.* should have been bold enough to require such a Law of them. Now either of these Supposals are so foolish, that the mentioning of them is sufficient to make out to any, that have never so little Wit or Reason, how groundless this Objection is.

I proceed now to the last Scruple some make to swear Allegiance to King *William* and Queen *Mary*, viz. That they do not think themselves freed before God of the Oath they have taken to be true to *James II.* They seem to ground their Doubt thus: Suppose they have been deceived by the Oath they have taken to obey this Act of Parliament of the 13th. of *Charles II.* What though they have been maliciously impos'd upon? Yet certain it is, That they have sworn Obedience to it in good earnest, by which

which means their Conscience is become fettered, and obliged to perform what they have sworn to; whence it follows, as they conceive that they cannot derogate so far from their former Oath, as to take this new one, I acknowledge that this Scruple seems to have some ground; for many Divines affirm, That Oaths extorted by force, do not for all that cease to oblige the Conscience. Thus they determine, That if a Man, fallen into the hand of Robbers, for the saving of his life, swears to pay them a sum of Money, he is obliged to pay it honestly. But those who would make an advantage of this their Decision, must observe for their own satisfaction, That the same Divines who maintain, that the Religion of an Oath sworn to God, obliges a Man to pay to Robbers the sum he has promised by Oath to them, do notwithstanding, in case of like nature, Reason after a quite other manner, because of the Consequences it draws after it. If a Robber has forced a Person to swear that he will not discover the Robbery, or declare it before the Magistrate, Is he obliged to keep this Oath? Here they define peremptorily, That he is not obliged to keep his Oath; the Reason is evident, because his Oath in this case is unjust: If he keeps it, he hinders the course of Justice; he encourages the Robber in his Crimes, he exposes his Neighbours to the same danger, he hinders the Publick from delivering her self of an Enemy, whom it is her Interest to destroy. This Decision therefore makes it apparent, that those who might keep their Oath, in a case only concerning their particular Interest, may not do so, when the publick Interest is concern'd. Whatsoever force an Oath may be supposed to have, yet it must be acknowledged,

First, That an Oath about a thing unlawful, doth not oblige; otherwise *Herod* would have deserved Praise for beholding *John the Baptist*. Now an Oath whereby I engage my self to suffer the overthrow of Religion and Government, without opposing the same, to my Power, by preserving the Laws and Religion, is an Oath to a thing unjust and unlawful, as being destructive to the Government, and to Religion.

Secondly, That the State of Things and Persons being changed, necessarily carries along with it a change in the Obligation of the Oath. Common sense taught *Seneca*, *De Benefic. L. 4 c. 34.* That for the obliging of any one to perform what he has promised, it is necessary that things continue in the same estate they were, when he made

the promise, because nobody promises, but upon certain Conditions; which being changed, he is neither a Lye, nor unfaithful, for not performing it. Suppose then that we have promised to Charles II. all that the Act of the 13th. year of his Reign does import, because Charles II. had declared that he would observe the Laws, and not oppress either the Liberty or Religion of his Subjects, does it follow that therefore I am bound to keep that promise to a Successor, whose carriage all along has evidenced, beyond a possibility of doubting, that he was resolved to overthrow the Laws of the Kingdom, and the Protestant Religion?

Thirdly, That Reciprocal Oaths are dissolved and made void, by the non performance of one of the Parties: Now it is apparent that this Act of Parliament of the 13th. of Charles II. is no other Oath but what is taken at the Coronation, though the Papists have endeavoured to bias it, in favour of their designs, and to make it a support for Tyranny, which they were resolved to introduce, as appears from the Letters of Coleman, and several other attempts, which have cleared it to all the World; but this Oath, supposeth the King ought to keep the Coronation Oath; which Oath he having violated, it follows that this Oath can no longer oblige those who have taken it; this being a thing I have already observed, I shall no longer insist upon it. To what has been said may be added, That they that harbour these doubts, do not sufficiently consider the Party wherewith they engage themselves, and by their example, those also who rely upon their honesty. 1. How can they think it Lawful for them in this case, to condemn those, who represent the Body of the State, if they think themselves bound by the Authority of the Parliament of the 13th. of Charles II? How is it they do not perceive that the present Convention and Parliament being vested with the same Authority, are sufficient to discharge them of an Oath they have been made to take by any preceding Parliament? 2. Is it not a thing directly opposite to the Spirit of Christianity, for any to arrogate to themselves the examining of these matters, or to engage every private Person in the ventilating of publick Declarations, which establish the Authority of Temporal Superiors? Suppose we that the Prince of Orange had invaded England, and that by Conquest he had obtained the Royal Authority, would not they have been obliged to submit to him, in case they were resolved to stay in the Land, and to swear Allegiance to him, if they would enjoy his protection.

protection. If they will not own this Truth, must it not follow that all the Bishops and People that have ever lived under Usurpers, have thereby made themselves liable to Everlasting Damnation? Where doth God command every Christian upon pain of damnation, to examine the Titles of those, who make themselves Masters of a Kingdom? And how much less of those, who have been exalted to the Royal Dignity by those, in whom the Authority and Trust of the whole Body of the Community did reside? What I here propound, is a matter so incontestable as well in the Commonwealth as in the Church, that on the one side a Pardon granted to Criminals, by a King who is only so *de facto*, is accounted irrevocable, when the King *de jure*, returns to the possession of the Government he had lost; as we find it determined by Coke 3. *Instit.* c. 1. f. 7. The reason for it is demonstrative, because this pardon proceeds from the Authority Royal wherewith he is invested. We have a like case decided by Lawyers, and 'tis this, That those who assist a King *de facto*, are exempt from any punishment, when the King *de jure* is restored to the Possession of his Kingdoms, which is so determined by Coke in the same place, Coke 3. *Instit.* c. 1. f. 7. On the other side the English Divines, who are most employed about the like Notions, as Bishop Sanderfon, have clearly decided the case of Conscience. Bishop Sanderfon has writ a small Treatise on purpose, wherein, upon occasion of the Engagement imposed in Cromwell's time, and conceived in these terms: *I do promise to be true and Faithful to the Common-Wealth of England, as it is now established without King or Lords*; which raised Scruples in some, like those we meet with at this time, he exhorts his Friend to take it, strongly maintaining and proving he might do it with a good Conscience. I would advise our Scrupulous Gentlemen, to read that small Treatise with attention, though I cannot dissemble a palpable contradiction it contains, when the Author supposes, a Man may take that Oath, and yet preserve the obligation he was under before, viz. of being Faithful to the King. For my part I freely profess, I can no way comprehend how any Divines can scruple taking the Oaths of Allegiance to the King and Queen, when they attentively reflect on our Saviour's behaviour. The Jews believed and that truly, that they were under a Monarchy, immediately instituted by God himself: The Law of Sovereignty amongst them was, that the Throne could not be possessed but by one of their Brethren; but

is of their own Nation and Religion. The Pharisees building on this ground, rejected the Authority of the *Roman* Emperours, whom they looked upon no better than Usurpers. Let us see how our Saviour decides the Controversie, wherein the Pharisees differed from the *Essenians*, who submitted themselves to that Foreign Power: He declares himself in favour of the *Essenians*, notwithstanding all the specious pretences wherewith the Pharisees endeavoured to defend their Rebellion. It is therefore evident, that though we should suppose that *James II.* had been as immediately appointed to the Throne of *England*, as any of the *Jewish* Kings, as long as the Throne at present is filled by the King and Queen, we are obliged to obey them, and consequently to Swear Allegiance to them. What, did Jesus Christ our Blessed Saviour think himself obliged to own him for a Lawful High-Priest, who was made so by one of the Emperour's Commissioners, though against Law, which ordered the eldest Son of the High-Priest to succeed in his Father's place, only because he was put into that Station by him who represented the Sovereign Power in *Jerry* at that time; and shall any one offer to dispute the lawfulness of owning the Authority the King and Queen enjoy by consent and agreement of the State? Surely whatsoever notions any may have concerning the Original of Sovereignty, we cannot rationally imagine any thing more advantageous in favour of it than this, That it was instituted by God for the Government and Preservation of the People. And as to the Persons invested with the Royal Dignity, I don't believe any Wise Man can pretend, that there is an immediate Grant of the Sovereignty, to any one Prince at present in the World; much less that God has marked out any Family, for to settle upon them the Rights of Sovereignty: let them shew this Grant or a transcript of it if they can; it would be great satisfaction to the House of Commons. The reason therefore why any Person is invested with this Dignity, is only the choice that has been made of him, by the consent of the People: This consent of the People, or of the most considerable amongst the People, has constituted the Forms of all Lawful Governments, and has legitimated those Empires, that were at first obtained by Conquest or Violence. And we may in particular add, that after this manner things have been carried in *England*, as we may see in the *Mirror of Justices*, c. 1. §. 2.

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Now this being once granted; so far as the Peoples Consent cannot be supposed, without the Condition of keeping the Fundamental Laws of the Government, which are of absolute Necessity to the Subistence of the State, it is incontestable, That when a Prince has endeavoured the Overthrow of all the Laws, the Obligation of obeying him must needs cease and become void. This is a thing so self-evident, That a Papist who has lately published the *Remonstrance and Protestation of all the good Protestants of this Kingdom*, declares, that if *James II.* were once convicted of usurping the Prince of *Wales*, of the League with *France*, of the Murder of the Earl of *Essex*, and of *Charles II.* we had done with him forever. It is notorious, that without putting our selves to the Trouble, to lay open these particular Actions, whereof he pretends *James II.* ought to be convicted, there are but too many others, known to all, which are sufficient to render him convict of having overturned the Laws of the Government, and the Constitution of it, and to acquit his Subjects of their Oath of Allegiance. Nay, I'll go further, That it is impossible to keep the Faith we have promis'd to an Arbitrary Prince, without involving our selves in an Infinity of Sins and Crimes; for as oft as we render him any Act of Obedience, we make our selves Partakers of his Irregularities, and we foment and encourage them, we become the Enemies of our Country, Traitors to the State, and Community of which we are Members, and draw down the Curse of God upon us. I ardently desire, That those who are uneasy under the Scruples I have here examin'd, would seriously consider of it. The Divisions they may occasion, cannot but prove very tragical. Their Scruples are only founded on Prejudices, and fomented by those who would destroy them; these their Prejudices are condemn'd by all Divines in general, whether Papists or Protestants, who without Interest have writ on this Subject. Here can be no dallying in the Case, if they think themselves bound by their Oath to *James II.* to answer this Obligation, they must pay him Taxes and all his Dues, and oppose themselves to the Establish'd Government; they must exhort others to do the same; for no Government will harbour Neuters in her Bosom: Their suspended and doubtful State, deserves no better Character, than that of a Spirit of Discontent, which politickly smother's its Aversion, till it have an Opportunity of raising so powerful a Faction, that it may bare-fac'd own its Obedience.

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We may pity those, who by their Writings have defended these kind of Maxims, so pernicious to Society; and the first causes of these Scruples, because we are willing to believe, that they have been trampled by the crafty wiles of a Court, who made Tools of them unknown to themselves: But it would be a thing most unworthy of Divines, of Christians, and of honest and wise Men, obstinately to espouse such Maxims, as are good for nothing but to encrease Arbitrary Power in the World; especially at this time, when God has delivered us from its Rage and Fury. The efficacy of these Maxims is so apparent in France, that we may easily apprehend what they are capable of inspiring proud and haughty Spirits with. Our good God be for ever blessed, for that those Divines, who have so far been imposed upon, as to defend those Maxims which hastned their own ruine, and made that of the State inevitable, have now an opportunity to undeceive themselves, by a softer and cheaper way than those of Popish Burcheries and Arbitrary Power, which without question would have open'd their Eyes wide enough, and made them hate those Maxims only somewhat too late for the good of the Church and Commonwealth.

F I N I S.

Books lately printed for Richard Chiswell.

Scriptorum Ecclesiasticorum Historia Literaria a Christo nato usque ad Seculum XIV. Facili Methodo digesta. Quæ de Vita illorum ac Rebus gestis, de Secta, Dogmatibus, Elogio, Stylo; de Scriptis geminis, dubiis, suppositis, ineditis, deperditis, Fragmentis; deque variis Operum Editionibus perspicue apparet. Accedunt Scriptores Gentiles, Christianæ Religionis Oppugnatores; et cum veteri Sacri Bibliothecæ Inscrutatorum sunt veterum aliquot Opuscula & Fragmenta, tum Græcæ, tum Latina hætenus inedita. Præmissæ denique Prolegomena, quibus plurima ad Antiquitatis Ecclesiasticæ studium spectantia traduntur. Opus Indicibus necessariis instructum. Autore GUILIELMO CAVE, SS. Theol. Profes. Canonico Windesoriensi. Accedit ab Aliâ Manu Appendix ab incunte Seculo XIV. ad Annum usque MDXVII. Fol. 1689.

Dr. BURNET [now Bishop of Salisbury] his Life of Dr. William Bedell Bishop of Kilmore in Ireland; to which are annexed the Letters betwixt him and Wadsworth, about Religion.

- Two Letters written upon the Discovery of the Popish Plot; together with a Collection of several other Tracts and Discourses: Written by him betwixt the years 1678, and 1685. To which is added, a Letter written to Dr. Burnet, giving an Account of Cardinal Poole's Secret Powers. The History of the Powder-Treason, with a Vindication of the Proceedings thereupon. An Impartial Consideration of the Five Jesuits dying Speeches, who were Executed for the Popish Plot, 1679.
- A Vindication of the Ordinations of the Church of England: In which is demonstrated, That all the Essentials of Ordination, according to the Practice of the Primitive and Greek Churches are still retained in the Church.
- Reflections on the Relation of the English Reformation lately printed at Oxford. In two Parts: 4to.
- Animadversions on the Reflections upon Dr. BURNET's Travels. 8vo.
- Reflections on a Paper, intitled; His Majesty's Reasons for withdrawing himself from Rochester.
- Enquiry into the present State of Affairs, and in particular, Whether we owe Allegiance to the King in these Circumstances? And, whether we are bound to Treat with Him and call Him back, or no?
- Sermon preached before the Prince of Orange, 23d. Decemb. 1688.
- Thanksgiving Sermon before the House of Commons, 31. Jan. 1689.
- Eighteen Papers relating to the Affairs of Church and State, during the Reign of King James II. Seventeen whereof were written in Holland, and first printed there; the other at Exeter, soon after the Prince of Orange's Landing in England.
- Letter to Mr. Thénart; containing a Censure of Mr. Le Grand's History of King Henry the Eighth's Divorce. To which is added, A Censure of Mr. De Meaux's History of the Variations of the Protestant Churches. Together with some further Reflections on Mr. Le Grand. 1689.

Books lately Printed for Richard Chifwel.

Dr. PATRICK'S Sermon before the Prince of Orange, 20. Jan. 1688.

— Sermon before the Queen at Whitehall, March 1. 1688.

— Sermon at St. Paul's Covent Garden, on the first Sunday in Lent, being a

Second part of a Sermon, preached before the Prince of Orange.

A Letter written by the Emperour to the late King James setting forth the True Occasion of His Fall, and the Treachery and Cruelty of the French.

King William or King Lewis; wherein is set forth the inevitable necessity these Nations lie under, of submitting wholly to One or Other of these Kings, and the matter in Controversie is not now between K. William and K. James, but between K. William and K. Lewis of France for the Government of these Nations.

Books lately Published.

A Letter Written by a Clergy Man to his Neighbour, concerning the present circumstances of the Kingdom, and the Allegiance that is due to the King and Queen. 4°.

The Case of Allegiance in our present circumstances considered, in a Letter from a Minister in the City, to a Minister in the Country. 4°.

A Sermon preached at Fulham, in the Chappel of the Palace, upon Easter Day, 1689. at the Consecration of the Right Reverend Father in God Gilbert Lord Bishop of Sarum: By Anthony Horneck, D. D. 4°.

The Judgments of God upon the Roman Catholick Church, from its first Rigid Laws for Universal Conformity to it, unto its last End. With a prospect of, these near approaching Revolutions, viz. The Revival of the Protestant profession in an Eminent Kingdom, where it was totally suppressed. The last End of all Turkish Hostilities. The general Mortification of the power of the Roman Church in all parts of its Dominions. By Drue Cressener, D. D. 4°.

A Breviate of the State of Scotland in its Government, Supream Courts, Officers of State, Inferiour Officers, Offices and Inferiour Courts, Districts, Jurisdicitions, Burroughs Royal, and Free Corporations. Fol.

An Account of the Proceedings of the Convention of the Estates of Scotland, from their first sitting down to this Time; which will be continued weekly.

An Account of the Reasons which induced Charles II. King of England to declare War against the States General of the United Provinces in 1672. And of the Private League which he entered into at the same Time with the French King to carry it on. And to Establish Popery in England, Scotland, and Ireland. As they are set down in the History of the Dutch War; Printed in French at Paris, with the Privilege of the French King in 1682. Which Book He caused to be immediately Suppressed at the Instance of the English Embassadour. Fol.

A Discourse concerning the Worship of Images, Preached before the University of Oxford the 24th. of May, 1686. by George Tullie Sub Dean of York; [For which he was suspended.] 4°.

Some Considerations touching Succession and Allegiance. 4°.

Reflections upon the late Great Revolution: Written by a Lay-Man in the Country, for the satisfaction of some Neighbours. 4°.

The History of the Dissertion; or an Account of all the publick Affairs in England, from the beginning of September 1688. to the Twelfth of February following. With an Answer to a Piece called *The Dissertion Discussed*, in a Letter to a Country Gentleman. By a Person of Quality. 4°.