

THE LAW OF LIBERTY.

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A S E R M O N

ON

AMERICAN AFFAIRS,

P R E A C H E D

AT THE OPENING OF THE PROVINCIAL  
CONGRESS OF GEORGIA.

A D D R E S S E D

TO THE RIGHT HONOURABLE  
THE EARL OF *DARTMOUTH*.

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WITH AN APPENDIX,

GIVING A CONCISE ACCOUNT OF THE STRUGGLES OF  
SWISSERLAND TO RECOVER THEIR LIBERTY.

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By J O H N J. Z U B L Y, D. D.

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EPHRAIM shall not envy JUDAH,  
And JUDAH shall not vex EPHRAIM. Isa. xi. 13.

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PHILADELPHIA PRINTED;

A N D

LONDON Re-printed for J. ALMON, opposite Burlington  
House, in Piccadilly.

MDCCLXXV.

TO the RIGHT HONOURABLE

*W I L L I A M,*

EARL of DARTMOUTH.

MY LORD,

**Y**OUR Lordship's appointment to be Secretary of State for the American department, by numbers that respected your Lordship's religious character, was looked upon as a very providential and happy event. Your patronizing of religious undertakings, confirmed the general opinion; and we were happy in the expectations of your Lordship's conscientious regard to justice and equity, as well as to the civil and religious liberties of this great Continent; we expected the cause of liberty and religion would meet with the strongest support under your administration, and in your Lordship would ever find a constant and successful advocate with your royal master.

Unhappily during your administration, measures have been pursued very contrary to American hopes; and we easily conceive your Lordship may think it not less strange that many friends of religion in America should be so uneasy

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under

under laws which had your Lordship's concurrence and approbation.

It is to the Man and to the Christian I wish to be permitted to address myself: your Lordship ranks among the highest subjects, and has a large share in all public measures; but anxiety for what may distress, and zeal for the welfare of the empire, can be no crime even in the meanest; and when a house is once in flames, every man is inexcusable, or must at least be so in his own breast, that does not contribute whatever he may think in his power to their being extinguished. The effects of the present measures are visible, and it requires no sagacity to foresee what may be the consequence, should they be continued. Your Lordship may do much towards restoring and perpetuating the tranquillity of a great empire: persons of my station have nothing to offer but hints and wishes; should these be beneath your notice, or stand in need of forgiveness, my sincere wish to contribute any thing towards a just, happy, and perpetual connexion between a parent state and an infant country, growing apace to the most astonishing importance, must be my only apology. *Pulchrum est bene facere reipublicæ, sed & bene dicere non est absurdum.*

The question, my Lord, which now agitates Great Britain and America, and in which your Lordship has taken such an active part, is, whether the Parliament of Great Britain has a right to lay taxes on the Americans, who are not, and cannot, there be represented; and whether the  
Parliament

Parliament has a right to bind the Americans in all cases whatsoever? Whatever may be said, or whatever the good people in Great Britain may believe, this is the whole subject of the dispute. All the severities hitherto exercised upon the Americans professedly have no other view than to enforce such a dependance; and nothing less than a claim destructive of all natural and national liberty, could possibly have united all America in a general opposition, or have aroused them to join all like one man in their common defence. Let a declaratory bill be passed, that any law and usage to the contrary notwithstanding, America is entitled to all the common rights of mankind, and all the blessings of the British constitution, that the sword shall never be drawn to abridge, but to confirm, her birthright, and the storm instantly becomes a calm, and every American thinks himself happy to contribute to the necessities, defence, and glory, of Great Britain to the utmost of his strength and power.

*To bind them in ALL CASES WHATSOEVER*, my Lord, the Americans look upon this as the language of despotism in its utmost perfection. What can, say they, an emperor of Morocco pretend more of his slaves than to bind them in all cases whatsoever? Were it meant to make the Americans hewers of wood and drawers of water, were it meant to oblige them to make bricks without straw, were it meant to deprive them of the enjoyment of their religion, and to establish a hierarchy over them similar to that of the church of



Rome in Canada; it would, say they, be no more than a natural consequence of the right of binding them (unseen, unheard, unrepresented) in all cases whatsoever.

My Lord, the Americans are no idiots, and they appear determined not to be slaves. Oppression will make wise men mad, but oppressors in the end frequently find that they were not wise men: there may be resources even in despair sufficient to render any set of men strong enough not to be bound in all cases whatsoever.

Grievous is the thought, my Lord, that a nobleman of your Lordship's character should be so zealous to make war, and to imbrue his hands in the blood of millions of your fellow-subjects and fellow-christians: pray, my Lord, is it possible that those, who at three thousand miles distance can be bound in all cases, may be said to have any liberty at all? Is it nothing in your Lordship's eye to deprive so considerable a part of the globe of the privilege of breathing a free air, or to subjugate numbers and generations to slavery and despotism? Can your Lordship think on these things without horror, or hope they must be productive of any thing but detestation and disappointment? Your Lordship believes a Supreme Ruler of the earth, and that the small and great must stand before him at last: would your Lordship be willing, at the general meeting of all mankind, to take a place among those who destroyed or enslaved empires, or risk your future state on the merit of having, at the expence of  
British

British blood and treasure, taken away the property, the life and liberty of the largest part of the British empire? Can your Lordship think those that fear the LORD will not cry to him against their oppressors? and will not the Father of mankind hear the cries of the oppressed? or would you be willing that their cries and tears should rise against you as a forward instrument of their oppression?

I know, my Lord, that this is not courtly language, but your Lordship is a professor of religion, and of the pure, gentle, benevolent religion of JESUS CHRIST: the groans of a people pushed on a precipice, and driven on the very brink of despair, will prove forcible; till it can be proved that any power, in whose legislation the Americans have no part, may at pleasure bind them in all cases whatsoever; till it can be proved that such a claim does not constitute the very essence of slavery and despotism; till it can be proved that the Americans (whom in this view I can no longer call Britons) may, and of right ought, to be thus bound; abhorrence of such assertions is only the language of truth, which in the end will force its way, and rise superior to all the arts of falsehood and all the powers of oppression.

Right or wrong, my Lord, in all cases whatsoever, but more especially when the fate of nations is concerned, are words of infinite moment. Your Lordship doubtless believes that the weighty alternative must have very solemn and different effects

effects here and hereafter ; but waving the right or wrong of this vile unhappy dispute, let me entreat your Lordship's attention to consider at what an infinite risk the present measures must be pursued, even were it not demonstrable that they are in the highest degree wrong, cruel, and oppressive.

The bulk of the inhabitants of a continent extending eighteen hundred miles in front on the Atlantic, and permitting an extension in breadth as far as the South Sea, look upon the claim, to bind them in all cases whatsoever, as unjust, illegal, and detestable: let us suppose for a moment that they are grossly mistaken ; yet an error imbibed by millions, and in which they believe the ALL of the present and future generations lies at stake, may prove a very dangerous error ; destroying the Americans will not cure them, nor will any acts that condemn to starve or be miserable, have any tendency to persuade them that these acts were made by their friends. The people in England are made to believe that the Americans want to separate from them, or are unwilling to bear their part of the common burden. No representation can be more false ; but, my Lord, a nation cannot be misled always, and when once the good people of Great Britain get truer notions of the matter, they will naturally wreak their resentment on those by whom they have been grossly misinformed or wretchedly deceived.

Review,



Review, my Lord, the effects of the present measures; the past and present will inform your Lordship of what may be to come.

With an unparalleled patience did the Bostonians bear the annihilation of their trade, the blocking up of their harbour, and many other distresses, till at Lexington an attack was made upon their lives, and then they gave sufficient proof that their patience was not the effect of timidity, but of prudence and an unwillingness to shed British blood. This attack convinced all America that the British ministry and troops were athirst after their blood; and the behaviour of both parties on that day, and in many little skirmishes since, must convince all the world that in the cause of liberty the Americans are not afraid to look regulars in the face, and that in an unjust and oppressive service British troops are far from being invincible.

The burning of the innocent town of Charlestown, after it had been left by its inhabitants, is a piece of such wanton cruelty as will fix an everlasting disgrace on the British Arms. In the long civil war in Great Britain nothing of the kind was attempted by either party, and this barbarity cannot fail being condemned by all civilized nations.

If at the battle on Bunker's Hill the Americans have been surprized, superiority has cost the regulars dearer than the Americans what is called their defeat; one or two more such defeats of the Americans would for ever put it out of the power



power of the present regular army to gain a victory.

The rejecting of the New-York petition has effectually silenced all those who pleaded for, or hoped any good from, petitioning. The cannonading of that town in the dead of the night, and without the least previous warning, as it has shewn what the inhabitants are indiscriminately to expect, will in history stand as a lasting monument of such wantonness of cruelty as nations not remarkable for humanity would be ashamed of.

The destroying of the New-England fishery laid all those who were deprived of their bread and occupation at sea, under an absolute necessity of seeking it in the American Army, and the sense of the injury done them will doubtless exert itself in the day of battle.

The endeavour to stir up popish Canadians and savage Indians against the Colonists has been productive of the taking of the important pass of Ticonderoga, which has been effected without the loss of a single life on either side.

Detaining the inhabitants of Boston, after they had, in dependance on the general's word of honour, given up their arms, to be starved and ruined, is an action worthy of the cause, and can only be equalled by the distresses of Protestants driven under the walls of Londonderry, at which even a James relented.

Proposals publicly made by ministerial writers relative to American domestics, laid the southern  
provinces

provinces under a necessity of arming themselves ; a proposal to put it in the power of domestics to cut the throats of their masters, can only serve to cover the proposers and abettors with everlasting infamy.

The Americans have been called “ a rope of sand ;” but blood and sand will make a firm cementation ; and enough American blood has been already shed to cement them together into a thirteenfold cord, not easily to be broken.

My Lord, the violence of the present measures has almost instantaneously created a continental union, a continental currency, a continental army, and before this can reach your Lordship, they will be as equal in discipline as they are superior in cause and spirit to any regulars. The most zealous Americans could not have effected in an age, what the cruelty and violence of administration has effectually brought to pass in a day.

The regular army employed on this errand, with four able generals, now lies no better than besieged within the ruins of Charles-town and Boston, unable to procure the necessaries of life, obliged to import their bread from Europe, and fuel from Canada, pining away with disease, and affording daily martyrs to cruelty and arbitrary power, while every day adds to the improbability of their ever obtaining those unhappy ends. A strange situation for a British army !

Restraining the trade of the Colonies, will effectually annihilate all their trade with Great Britain. The numbers that crossed the Atlantic,

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or re-exported American commodities from Great Britain ; the manufacturers that wrought for America, or worked up their raw materials ; will now be at full leisure to know and feel whether the American trade be an object of any importance, and how much the nation is obliged to a ministry that has so effectually laboured its destruction.

The present dispute has made every American acquainted with, and attentive to, the principles of the British constitution : in this respect, as well as in a strong sense of liberty, and the use of fire-arms almost from the cradle, the Americans have vastly the advantage over men of their rank almost every where else. From the constant topic of present conversation, every child unborn will be impressed with the notion : it is slavery to be bound at the will of another in all cases whatsoever ; every mother's milk will convey a detestation of this maxim. Were your Lordship in America, you might see little ones acquainted with the word of command before they can distinctly speak, and shouldering the resemblance of a gun before they are well able to walk.

When millions of free people at once turn their thoughts from trade, and the means of acquiring wealth, to agriculture and frugality, it must cause a most sensible alteration in the state. My Lord, this is the case at present in America ; every new act of violence will strengthen and confirm the spirit that taught them the necessity  
of



of being frugal and virtuous, that they might remain free, and become invincible.

Admit, my Lord (for suppositions now become probable in proportion of their being astonishing and violent) that a British fleet may effectually guard every harbour, river, creek, or inlet on the American coast ; admit also that her troops destroy every town, village, or hut along the sea shore ; what then will be the consequence ? Why, my Lord, it will be the destroying the property of thousands in Great Britain, and of a few on this side of the water, whom your Lordship calls your friends : perhaps the attempt may not succeed ; but supposing it should, the Americans, injured beyond a possibility of reparation, and irritated to the highest degree, will retire where they are inaccessible to troops and ships ; instead of trade and navigation, you will have a desolate sea-coast ; the trade of America will be lost, and with it the sinews of war : and, my Lord, in the natural course of things America, in less than half a century, will contain more inhabitants than Great Britain and Ireland ; and that period, my Lord, is not so far distant to put the present treatment entirely out of remembrance. America and Great Britain joined in arms together, may grow confident against the world besides ; but if Britain continue her arms against America ; if her troops can be persuaded to go on against their brethren and friends ; if they will destroy the last asylum of liberty, and a country which has saved so many thousands

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from

from starving at home ; the Americans will fight like men who have every thing at stake : the mercenaries with bayonets at their backs, and at the rate of six-pence a day, if they are once defeated, whence will they be resupplied ? If they return to Britain victorious, they will be fit instruments to promote that slavery at home which they have been successful in fastening (probably for a very little while) on their fellow-subjects abroad.

In times of public confusion men of all parties are sometimes carried further than they intended at first setting out. History and the knowledge of human nature should inform your Lordship how much it is against all sound policy to secure or strive for punctilios at an infinite risk.

The Americans have always shewn an affectionate regard to the king, and they are truly sensible of the necessity and advantage of a perpetual union with the parent state ; but undeserved severities cannot be productive of any pleasing returns. The Americans firmly believe that the claim at present endeavouring to be enforced, would render them mere slaves, and it is their general motto, “ DEATH OR FREEDOM.” The parliamentary, or, as they say, ministerial claim is now written in letters of blood, and that will be far from making it more acceptable to American readers.

On the whole, my Lord, should this address be deemed impertinent and intrusive, I hope it may still be excusable from the importance of  
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the cause, and the sincerity of its motive. In the event of the present dispute I look upon all mankind as interested, and though not natural born, his majesty has not another subject that more ardently wisheth that his own repose and happiness and that of all his subjects may never meet with any interruption. Whether British troops shall now drive liberty from out of the greater part of the British empire, and bury her remains in the American wilderness, or whether that wilderness shall flourish and chearfully contribute to make Great Britain the greatest empire of the universe, is the question now to be decided; and it is not so unimportant, but it may be expected HE that is higher than the highest, and taketh up the isles like a very little thing, will interpose in the decision. The whole American process, my Lord, is liable to a revision, and when righteousness and judgment to come once make an impression, many a Felix will tremble.

To restore peace and harmony nothing is necessary than to secure to America the known blessings of the British constitution. This may be done in a moment, and without any disgrace or risk. Let the Americans enjoy, as hitherto, the privilege to GIVE and GRANT by their own representatives, and they will give and grant liberally; but their liberty they will never part with but with their lives. The day that restores their liberty, restores every thing to their former channel; to enforce the contrary claim, ages may be insufficient, and every day encreases the danger of  
 “ a mo-



“ a mother’s being dashed to pieces on her own  
“ children.”

That your Lordship, in the hand of Providence, may be a happy instrument to bring the present unnatural contest to a speedy, just, and honourable issue ; that you may live to see much of that happiness which must be the result ; is no less my fervent prayer, than that God would blast every counsel and measure that may have a contrary tendency,——that would separate Britain and America, whom God has joined together,——that would abridge the rights, liberties, and happiness of the nation, our rightful Sovereign (whom God ever preserve) or any of his subjects !

I am, my Lord,

Your LORDSHIP’S

most humble Servant,

September 3, 1775.

J. J. ZUBLY.

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## A SERMON, &c.

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JAMES ii. 12.

*So speak ye, and so do, as they that shall be judged  
by the Law of Liberty.*

**T**HERE was a time when there was no king in Israel, and every man did what was good in his own eyes. The consequence was a civil war in the nation, issuing in the ruin of one of the tribes, and a considerable loss to all the rest.

And there was a time when there was a king in Israel, and he also did what was right in his own eyes, a foolish son of a wise father ; his own imprudence, the rashness of his young counsellors, his unwillingness to redress the grievances of the nation, and the harsh treatment he gave to those who applied for relief, also brought on a civil war, and issued in the separation of the ten tribes from the house of David. He sent his treasurer to gather an odious duty or tribute, but the children of Israel stoned him that he died ; and when he gathered one hundred and fourscore thousand men,

men, that he might bring again the kingdom unto Roboam, GOD sent him a message, “ Ye  
 “ shall not go up, nor fight against your brethren,  
 “ return every man to his house, for this thing is  
 “ done of me,” GOD disapproved of the oppressive measures and ministry of Roboam, and that king’s army appears more ready to obey the command of their GOD, than slay their brethren by orders of a tyrant. “ They obeyed the voice of the  
 “ LORD, and returned from going against Jero-  
 “ boam.” 2 Chron. x. 18. xi. 4.

The things that happened before are written for our learning. By comparing past times and proceedings with these that are present, prudence will point out many salutary and religious lessons. The conduct of Roboam verifies the lamentation of his father, “ Woe to thee, O land, when thy  
 “ king is a child.” Eccles. x. 16. A very small degree of justice and moderation might have preserved his kingdom, but he thought weapons of war better than wisdom; he hearkened not, neither to the people, nor to some of his more faithful counsellors; and the consequence was that, instead of enslaving the ten tribes who stood up for their liberty, GOD gave Judah to be servants to the king of Egypt, that they might learn the difference between his service and the service of the kingdoms of the nations. A people that claim no more than their natural rights, in so doing, do nothing displeasing unto GOD; and the most powerful monarch that would deprive his subject of the liberties of man, whatever  
 may



may be his success, he must not expect the approbation of God, and in due time will be the abhorrence of all men.

In a time of public and general uneasiness it behoves both superiors and inferiors to consider. It is easy to extinguish a spark ; it is folly to blow up discontent into a blaze : the beginning of strife is like the letting out of waters, and no man may know where it will end. There is a rule given to magistrates and subjects, which, if carefully attended to, would secure the dignity and safety of both ; but which, if not duly regarded, is usually attended with the worst consequences. The present, my hearers, will easily be allowed is a day of trouble, and surely in this day of adversity we ought to consider. When a people think themselves oppressed, and in danger, nothing can be more natural than that they should enquire into the real state of things, trace their grievances to their source, and endeavour to apply the remedies which are most likely to procure relief : this I take to be the design of the present meeting of persons deputed from every part of the country ; and as they have thought proper to open and begin their deliberations with a solemn address unto God, and the consideration of his holy word, I most cheerfully comply with their request to officiate on this occasion ; and shall endeavour, as I may be enabled, to point out such directions from the holy scriptures as may make us wise in the knowledge of time, and direct us how to carry ourselves worthy of the  
D. character

character of good subjects and Christians : whatever may be necessary for this purpose, I take to be comprehended in the apostolical rule, which I have laid down as the subject of this discourse ;  
 “ So speak, and so do, as they that shall be  
 “ judged by the law of liberty.”

There are two things which properly come before us, viz.

I. That we are to be judged by the law of liberty ; and

II. The exhortation to act worthy, and under the influence of this important truth on every occasion.

A law is a rule of behaviour made under proper authority, and with penalties annexed suitable to deter the transgressions. As all laws suppose man to be in a social state, so all laws ought to be made for the good of man : a law that is not made by such as have authority for so doing, is of no force ; and if authority makes laws destructive in themselves, no authority can prevent things from finally taking their natural course.

Wherever there is society, there must also be law ; it is impossible that society should subsist without it. The will, minds, tempers, dispositions, views, and interests of men are so very different, and sometimes so opposite, that without law, which cements and binds all, every thing would be in endless disorder and confusion. All laws usually wear the complexion of those by whom they were made ; but it cannot be denied that some bad men, from a sense of necessity,

sity, have made good laws ; and that some good men, from mistake, or other weakneses, have enacted laws bad in themselves, and pernicious in their consequences.

All human laws partake of human imperfection ; it is not so with the laws of God: he is perfect, and so are all his works and ways. “ The law of the LORD is perfect, converting  
“ the foul. The testimony of the LORD is sure,  
“ making wise the simple. The statutes of the  
“ LORD are right, rejoicing the heart. The  
“ commandment of the LORD is pure, enlighten-  
“ ing the eyes. All his judgments are truth,  
“ and righteousness altogether.” Psalm xix.

Among men every society and country has its own laws and form of government, which may be very different, and cannot operate beyond their limits ; but those laws and that form of government are undoubtedly best which have the greatest tendency to make all those that live under them secure and happy. As soon as we consider man as formed into society, it is evident that the \* safety of the whole must be the grand law which must influence and direct every other : men did not pass from a state of nature into a state of society, to render their situation more miserable, and their rights more precarious. That government and tyranny is the hereditary right of some, and that slavery and oppression is the original doom of others, is a doctrine that would reflect dishonour

\* *Salus populi suprema lex,*



upon GOD: it is treason against all mankind; it is indeed an enormous faith that millions were made for one: transubstantiation is but a harmless absurdity, compared with the notion of a divine right to govern wrong, or of making laws which are contrary to every idea of liberty, property, and justice.

The law which the apostle speaks of in our text, is not a law of man, but of HIM who is the only lawgiver, that can save and condemn, to whom all owe obedience, and whose laws none can transgress with impunity.

Though all the laws that GOD ever gave unto man are worthy of GOD, and tend to promote the happiness of those to whom they were given, yet we may observe a very striking variety in the different laws which he gave at different times and to different people. “He shewed his word  
“unto Jacob, his statutes and his judgments unto  
“Israel; he has not dealt so with any other na-  
“tion.” Psalm cxlvii. 18, 19.

To the generality of mankind he gave no written law, but yet left not himself without a witness among them; the words of the law were written in their hearts, their conscience also bearing witness, and their thoughts the meanwhile excusing or else accusing one another: it cannot be said they were without law, whilst what they were to do, and what they were to forbear, was written in their hearts.

To Israel GOD came with a fiery law in his hands, it was given with the most awful solemnity

nity upon mount Sinai : and as the sum and substance of all their ceremonial, political, and moral law centered in the ten commandments, so the sum and substance of these are comprehended in love to God and love to man, which, as our LORD himself informs us contain all the law and all the prophets.

All manifestations of the will of God have been gradual ; and it is probable the means of knowing God will be progressive through different ages, till eternity gives the good man a full sight of God in his immediate presence. During the dispensation of the old testament and the ceremonial law, a spirit of bondage obtained unto fear, the law was a schoolmaster to bring us unto CHRIST ; neither did the law make any thing perfect, but the bringing in of a better hope : grace and truth were brought to light by JESUS CHRIST ; and hence the dispensation of the gospel under which we live, is called the law of LIBERTY.

Though there is a manifest distinction between law and gospel, and sometimes these two things are even opposed to one another, yet the doctrine of the gospel is also called “ the law of faith ;” Rom. iii. 17. partly because it was usual with the Jewish writers to call every doctrine a law, and partly also because the doctrine of the gospel presents us with a rule of life, which all its professors are bound to obey : hence they are said to be “ not without law, but under the law of CHRIST ;” 1 Cor. ix. 11. and hence our apostle speaks of a  
royal

royal law, which, though we cannot obey in perfection, nor derive any merit from our imperfect obedience, we cannot neglect without danger, nor disobey without shewing our disregard to the doctrine of the gospel in general.

It deserves very particular attention, that the doctrine of the gospel is called a law of LIBERTY. Liberty and law are perfectly consistent; liberty does not consist in living without all restraint; for were all men to live without restraint, as they please, there would soon be no liberty at all; the strongest would be master, the weakest go to the wall; right, justice, and property must give way to power, and, instead of its being a blessing, a more unhappy situation could not easily be devised unto mankind, than that every man should have it in his power to do what is right in his own eyes: well regulated liberty of individuals is the natural offspring of laws, which prudentially regulate the rights of whole communities: and as laws which take away the natural rights of men are unjust and oppressive, so all liberty which is not regulated by law is a delusive phantom, and unworthy of the glorious name.

The gospel is called a law of liberty, because it bears a most friendly aspect to the liberty of man: it is a known rule, *Evangelium non tollit politias*, the gospel makes no alteration in the civil state; it by no means renders man's natural and social condition worse than it would be without the knowledge of the gospel. When the Jews boasted of their freedom, and that they  
never



never were in bondage, our LORD does not reprove them for it, but only observes, that national freedom still admits of improvement: “ If the Son shall make you free, then are you free indeed.” John viii. 16. This leads me to observe, that the gospel is a law of liberty in a much higher sense: by whomsoever a man is overcome, of the same he is brought into bondage; but no external enemy can so completely tyrannize over a conquered enemy, as sin does over all those who yield themselves its servants: vicious habits, when once they have gained the ascendant in the soul, bring man to that unhappy pass, that he knows better things and does worse; sin, like a torrent, carries him away against knowledge and conviction, while conscience fully convinceth him that he travels the road of death, and must expect, if he so continues, to take up his abode in hell; though his decaying body clearly tells him sin breaks his constitution, as well as wastes his substance; though he feels the loss of credit and wealth, still sin has too strong a hold of him to be forsaken; though he faintly resolves to break off; yet, till the grace of GOD brings salvation, when he would do good, evil is present with him: in short, instead of being under a law of liberty, he is under the law of sin and death; but whenever he feels the happy influence of the grace of the gospel, then this “ law of liberty makes him free from the law of sin and death:” Rom. viii. 2. it furnisheth him not only with motives to resist, but with power also to subdue sin; sin reigns no longer

longer in his mortal body, because he is not under the law, but under grace. By this law of liberty he is made free from sin, and has his fruit unto holiness, and the end of it eternal life. There is another reason why the gospel is called a law of liberty, which is to distinguish it from the ceremonial law under the Mosaic dispensation; a yoke, of which an apostle saith, neither they nor their fathers were able to bear; it was super-added on account of their transgressions, and suited to the character of a gross and stubborn nation, to whom it was originally given: they were so prone to idolatry, and so apt to forget their God, their notions were so gross and carnal, that a number of external rites and ceremonies became necessary, to put them in mind of him, and to attach them to some degree of his worship and service. This, however necessary, was a heavy burden; it bid them “touch not, taste not, handle not;” it required of them expensive sacrifices, and a costly and painful service; it was attended with the most fearful threatnings; if any man brake Moses’ law, he died under two or three witnesses; and the very spirit they then received, was a spirit of bondage unto fear: whereas the gospel dispensation breatheth a spirit of confidence, and under the law of liberty we call upon God, as Abba, Father. By this law of liberty the professors of the gospel will be judged.

Every man is a rational, and therefore accountable, creature. As a creature he must needs depend on his Creator; and as a rational creature he must

must certainly be accountable for all his actions. Nothing is more evident than that man is not of himself; and if once we admit that he holds his existence, his faculties and favours from God that made him; it becomes a very obvious conclusion that his Maker must have had some view in giving him existence, and more understanding than to the beasts of the field, neither can it be a matter of indifference to him whether man acts agreeably or contrary to his designs. The Creator of the natural world is also its moral ruler; and if he is now the proprietor and ruler of intelligent beings, at some time or other he must also be their judge.

If God had not made his will known unto man, there could have been neither transgression nor judgment. If it should be said that God has not manifested himself alike unto all men, and that some have much smaller opportunities to know his will and their duty than others, it is enough to observe, that no man will be judged by a rule of which it was impossible he should have any knowledge. Every work and every man will be brought into judgment, and the judgment of God will never be otherwise than according to truth; but those that never had the law of liberty will not be judged by that law; and those that have been favoured with the revelation of the gospel, will be more inexcusable than any others if they neglect the day of their visitation. “As many as have sinned without law, shall  
 “also perish without law; and as many as have  
 E “sinne



“ sinned in the law, shall be judged by the law.” Rom. ii. 12. All men are under some law; they feel, they are conscious, that they are so; the thoughts which already excuse or condemn one another, are an anticipation of a final and decisive judgment, when every man’s reward will be according to his works.

That all those who heard and professed to believe the gospel will be finally judged by that, we have the fullest assurance. GOD will judge the secrets of men by JESUS CHRIST according to his gospel. “ The word that I have spoken,” saith CHRIST, “ the same will judge them that “ heard it on the last day.” John xii. 48. It greatly interests us clearly to know what is the import and consequence of being judged by the gospel as a law of liberty, and it contains the following things:

The general character, all the thoughts, words, and actions, together with the general conduct of all those who professed the gospel, will be brought to the test, and tried by this rule. Man’s own opinion of himself, the good opinion of others, will here stand him in no stead; his character will not be determined by his external appearance, but by his inward reality. “ Man looketh on the outward appearance, but “ the LORD looketh on the heart.” 1 Sam. xvii. 7. The self-righteous pharisee will be rejected, notwithstanding his fair appearance and boasting; the penitent publican will be received, though he has nothing to plead, but LORD have mercy on me

me a sinner. The law is spiritual, and no law more so than the law of the gospel; it requires not merely an external obedience, but an internal conformity to the will of God; it demands truth in the inward part; it looks not only to the actions that are done, but to the principle from which they flow; we must judge of man's inward disposition by his visible action; but God judges of the actions of men according to their invisible spring; thoughts are out of the reach of human cognizance, but they are the first object of divine notice: there is not a word that drops from our tongue but what our judge hears; whatever we do, or whatever we neglect, is all under his immediate eye; and he not only attends to our general character, but also to every thought, word, or action, and the prevailing complexion of all these taken together form our true and real character.

In the judgment, according to this law, our character, words, thoughts, and actions will be brought to the test of this rule, our conduct will be compared with these precepts; this is the balance of the sanctuary in which the professors of the gospel shall be weighed, and as they shall be found approved or deficient, their case must be determined. Those whose temper and actions shall be found conformable to the law of liberty, will be acquitted, graciously accepted, and made ever happy; and those who turned the grace of God into wantonness, and made the liberty of the gospel a cloak for their sins, will be finally

rejected. The gospel informs us, that a day is already appointed for that purpose ; it acquaints us with the person of our judge, and every circumstance, as well as the rule, according to which he will proceed in judgment. Perhaps on that day, when all nations shall appear before the judge, and he will divide them as a shepherd divideth the sheep from the goats, distinct places will also be allotted to those who are to be judged by natural conscience and the law of nature, and those who have been favoured with a divine revelation, and especially with the light of the gospel : the people of Nineveh will arise against empty professors of the gospel, and will condemn them. Those who have been exalted above others in means and privileges, will sit proportionably lower than those who have made a better improvement of lesser means ; and notwithstanding the fondest hope and sincerest profession, it is a determined rule of the law of liberty, that  
 “ except our righteousness shall exceed that of  
 “ the scribes and pharisees, we shall in no case  
 “ enter into the kingdom of heaven.”

It deserves our peculiar attention, that the apostle considers the gospel as a law of liberty, at the same time when he sets it before us as the rule by which we are to be judged. We are not to imagine because the gospel is a law of liberty, therefore men will not be judged ; on the contrary, judgment will be the more severe against all who have heard and professed the gospel, and yet walked contrary to its precepts and doctrine.

As



As the transgression of a law of liberty must be more inexcusable, than the transgression of a law unjust or oppressive in itself, or even the ceremonial law, which was given only for a certain period, and to answer temporary purposes, so their judgment and doom must be proportionably heavier, who have sinned against love and liberty, as well as against power and justice.

According to this law the fate of men will not only be determined, but sentence will also be put into execution. GOD sitteth on the throne of judgment every day, and judgeth righteously; but he hath moreover appointed a particular day when he will manifest his power and justice before the whole creation; when the dead both small and great will stand before GOD; when those that acted agreeable to the law of liberty, will attain the fulness of glory of the freedom of the sons of GOD, and when he will also take vengeance on all that have not known GOD, and have not obeyed his holy gospel. This naturally leads to the second thing proposed, to take a nearer view of the importance of the exhortation, “ So “ speak, and to do, as they that shall be judged “ by the law of liberty.”

It seems as though the apostle had an eye to some particular branch of the law of liberty, *i. e.* the love which we owe unto our neighbour, and that his design is to obviate the mistake as though men might be considered as fulfilling the law of CHRIST, in paying respect to some of its commands and prohibitions, at the same time that they

they were entirely regardless of the rest. He assures them, that “ whosoever shall keep the “ whole law, but shall transgress in one point” (*e. g.* having respect of persons) “ is guilty of “ all.” On this principle the apostle builds the general exhortation, “ So speak, and so do, as “ they that shall be judged by the law of liberty.” This implies,

1. Be thoroughly convinced of the certainty of a judgment to come, and that it extends to you, to all your thoughts, words, and actions. There is not any truth of greater moment, nor perhaps more easily forgotten. The belief or unbelief of this important doctrine must have the most sensible effects. All the apostles frequently put their hearers in mind of a judgment to come ; and there is not any truth more necessary to be frequently inculcated and daily thought on ; and wherever this truth is really believed and felt, it will have a constant and natural influence on the behaviour of those who truly believe it.

2. See to it that in judgment you may stand. All men will be brought into judgment, but few will be able to stand ; none will be excused, or be able to withdraw, and only those who have acted worthily will meet with the divine acceptance. The difference will be amazing and beyond all conception : an eternity of happiness, which eye has not seen, ear has not heard, and which never entered into the heart of any man, lies on the one side ; and despair, misery, and torment on the other. Those that are able to stand, will  
meet

meet with the smiles and approbation of their judge; and to all the rest the king will say, “These mine enemies that would not have me to bear rule over them, bring them here, and slay them before mine eyes.” Those that believe and are convinced of this awful alternative, should certainly make it their care that they may be able to stand in judgment; neither should the persuasion of this only influence their conduct in general, but these words ought to be considered as a rule, which we ought to have constantly before our eyes in all our discourses and every undertaking; we should ever “so speak, and so act, as they that shall be judged by the law of liberty.”

I shall draw a few inferences, before I conclude with a more particular address to the worthy gentlemen at whose request I preach on this occasion.

1. *The gospel is a law of liberty.*

A late writer \* asserts, “Every religion countenances despotism, but none so much as the Christian.” This is a very heavy charge against religion in general, but bears hardest on the Christian. Whether it proceeds from malice, ignorance, or misapprehension, it is needless to determine: but if Christianity be a law of liberty, it must be obvious how ill-grounded is such a charge against it. It cannot be denied but some

\* See a tract, intituled, “Chains of Slavery.” Printed, London, 1775.



Christian writers have wrote against the rights of mankind. All those who stand up for unlimited passive obedience and non-resistance, may have given but too much cause for such surmises and suspicions ; but the truth is, that both those which make this charge, and those who gave occasion for it, were alike ignorant of the spirit and temper of Christianity ; and it may well be doubted whether the venders of such odious doctrines, who foisted tenets, so abominable and injurious to mankind, into the system of Christian religion, have not done that holy religion greater hurt, under the pretence of friendship and defence, than its most barefaced enemies by all their most violent attacks. Some Christian divines have taught the enormous faith, that millions were made for one ; they have ascribed a divine right to kings to govern wrong : but what then ? Are such abominable doctrines any part of Christianity, because these men say so ? Does the gospel cease to be a law of liberty, because some of its professors pervert it into an engine of tyranny, oppression, and injustice ?

The assertion, that all religion countenances despotism, and Christianity more than any other, is diametrically opposite to fact. Survey the globe, and you will find that liberty has taken its seat only in Christendom, and that the highest degree of freedom is pleaded for and enjoyed by such as make profession of the gospel.

There are but two religions which are concerned in this charge ; the Jewish and the Christian.

tian. Natural religion writers of this kind I suppose would not include in their charge; if they do, they set all religion at variance with the rights of mankind, contrary to the sense of all nations, who are generally agreed, that, abstractly of a world to come, religion is of real service and necessity to mankind, for their better government and order.

As to the Jewish religion, it seems really strange that any should charge it with favouring despotism, when by one of its express rites at certain times it proclaimed “Liberty throughout the  
“land, to the inhabitants thereof.” Levit. xxv. 10. It required their kings “not to be lifted  
“up in their hearts above their brethren.” Deut. xvii. 20. And the whole system of that religion is so replete with laws against injustice and oppression, it pays such an extraordinary regard to property, and gives such a strict charge to rule in justice and the fear of God, and to consider those over whom they judge as their brethren, even when dispensing punishments, and forbids all excess in them, that it is really surprizing any one acquainted with its precepts should declare it favourable to despotism or oppression.

The Christian religion, while it commands due respect and obedience to superiors, no where requires a blind and unlimited obedience on the part of the subjects; nor does it vest any absolute and arbitrary power in the rulers. It is an institution for the benefit, and not for the distress of mankind. It preacheth not only “glory to  
F “God

“ God on high,” but also “ peace on earth, and  
“ good will among men.”

The gospel gives no higher authority to magistrates than to be “ the ministers of God, for the  
“ good of the subject,” Rom. xiii. From whence it must surely follow, that their power is to edify, and not to destroy ; when they abuse their authority, to distress and destroy their subjects, they deserve not to be thought ministers of God for good ; nor is to be supposed, when they act so contrary to the nature of their office, that they act agreeable to the will of God, or in conformity to the doctrine of the gospel.

The gospel recommends unto masters to forbear threatenings, and to remember that they also have a master in heaven ; it assures them that the eye of God is equally upon the servant and the master, and that with God there is no respect of persons : it commands masters, from the most solemn considerations, to give unto servants that which is just and equal : it saith to the meanest slave, “ Art thou called, being a servant,  
“ care not for it, but if thou mayest be made  
“ free, use it rather.” 1 Cor. vii. 21.

The doctrine of the gospel has that regard to property, that it commands even soldiers ; “ Do  
“ violence to no man, and be content with your  
“ wages.” Luke iii. 14. That a Paul sent back a run-away slave, though now converted, and belonging to his intimate friend, and at a time when he seems to have stood in real need of his service, from a delicacy that he would do nothing  
without



without the owner's mind, lest his benefit should appear as if it were of necessity, and not willingly. Philem. 14. From the same spirit of justice a Zacheus, after his conversion, restored fourfold what before he had taken from any by false accusation : surely then the spirit of the gospel is very friendly to the rights and property of men.

The gospel sets conscience above all human authority in matters of faith, and bids us to “ stand fast in that liberty wherewith the Son of “ God has made us free.” Gal. v. 1. Freedom is the very spirit and temper of the gospel : “ He “ that is called in the LORD, being a servant, is “ the LORD's freeman. Ye are bought with a price, “ be ye not the servants of men.” 1 Cor. vii. 22, 23. At the same time that it commands us to submit to every ordinance of men, it also directs us to act “ as free, and not using liberty as a “ cloak of maliciousness, but as the servants of “ GOD.” 1 Pet. iii. 13-18.

Those therefore that would support arbitrary power, and require an unlimited obedience, in vain look for precedents or precepts for such things in the gospel, an institution equally tending to make men just, free, and happy here, and perfectly holy and happy hereafter.

2. *The main design of the gospel is not to direct us in our external and civil affairs, but how we may at last stand with comfort before GOD, the judge of all.*

Human prudence is to be our guide in the concerns of time ; the gospel makes us wise unto  
F 2
salvation,

salvation, and points out the means to be pursued, that it may be well with us in the world to come. As rational creatures we are to make use of our reason ; as Christians we are to repent and believe the gospel. Motives of a worldly nature may very properly influence us in our worldly concerns ; we are created not only for eternity, but also for time : it is not at all improper for us to have a due regard for both. The gospel will regulate our desires and restrain our passions as to earthly things, and will raise us at the same time above time and sense, to objects of a nature more worthy of ourselves. A due regard for, and frequent meditation on, a judgment to come, will greatly assist us in all our concerns ; and this very consideration the gospel holds out to us in the clearest manner. It not only affirms as a truth, what reason and conscience might consider only as probable, but it takes away as it were the veil from between us and things to come ; it gives us a present view of the future bliss of saints, and the terrors and despair of sinners ;—rather an historical account than a prophetic description of all the proceedings of the dreadful pleasing day ; it clearly points out the road to destruction, and the way to escape ; it affords us a plain and general rule to obtain safety and comfort, when it bids us, “ So speak, and so do, “ as they that shall be judged by the law of “ liberty.”

This general rule may also be of considerable service in extraordinary and particular cases. It  
is

is impossible to provide exprefs directions for every particular case ; and in the courfe of things circumstances may happen when a good man may be at a lofs to know his duty, and find it difficult fo to act as to obtain his own approbation. There may be danger of going beyond, and danger in not coming up to, the mark. To act worthy of God, who has called us, is the general rule of the Christian at all times, and upon every occafion ; and did we but always follow this rule, what manner of perfons fhould we then be ! But in cafes of intricacy, we may ftill be in doubt what may be moft for the glory of God, and moft confiftent with our duty. Sometimes alfo our relative duties may feem to come in competition with one another, and we may hesitate in our own mind which for the prefent has the ftrongelt call. We would fain obey our fuperiors, and yet we cannot think of giving up our natural, our civil and religious rights, nor acquiefce in or contribute to render our fellow-creatures or fellow-citizens flaves and miserable. We would willingly follow peace with all men, and yet would be very unwilling that others fhould take the advantage of a pacific difpofition to injure us in hopes of doing it with impunity. We would exprefs duty, refpect, and obedience to the king, as fupreme, and yet we would not wifh to ftrengthen the hands of tyranny, nor call oppreffion lawful : in fuch a delicate fituation it is a golden rule, “ So to fpeak, and fo to do, as they that fhall be “ judged by the law of liberty.” Nothing has  
a greater



a greater tendency to make men act wrong than the disbelief of a future judgment; and nothing will more effectually restrain and direct them than the full persuasion that such an event will certainly take place: nothing would have a happier tendency to make us act with prudence, justice, and moderation, than the firm persuasion that God will bring every work into judgment, and every secret thing, whether it be good or bad.

Neither could I think on any direction more applicable to the design of our present meeting, or which I might more properly recommend to the respectable gentlemen now met together to consult on the recovery and preservation of the liberties of America, and who chose to begin their deliberations with a solemn act of worship to almighty God, who has established government as his ordinance, and equally abhors licentiousness and oppression; whose singular blessing it is if subjects enjoy a righteous government, and under such a government lead a quiet and peaceable life in all godliness and honesty.

You are met, gentlemen, in a most critical time, and on a most alarming occasion, not in a legislative capacity, but (while the sitting of the usual representation is not thought for the king's service, or necessary for the good of this province) you are chosen by the general voice of this province to meet on their behalf, to consult on such measures as in our local circumstances may be most to the real advantage, and tend to the honour

honour of our sovereign, as well as the good and safety of this province, and of all this great continent. For the sake of the auditory, I shall briefly state the immediate causes that have given rise to this Provincial and a General American Congress, and then offer such humble advice as appears to me most suitable to our circumstances.

To enforce some acts for laying on a duty to raise a perpetual revenue in America, which the Americans think unjust and unconstitutional, which all America complains of, and some provinces have in some measure opposed\*, a fleet and army has been sent to New England, and after a long series of hardships by that province patiently endured, it is now out of all question that hostilities have been commenced against them; blood has been shed, and many lives have been taken away; thousands, never so much as suspected of having any hand in the action which is made the pretence of all the severity now used against that province, have been and still are reduced to the greatest distress. From this other provinces have taken the alarm: an apprehension of nearer foes, not unlikely to appear as auxiliaries in an unjust cause, has thrown our neighbours into arms; how far and wide the flame so wantonly kindled may be per-

\* This opposition in some provinces consisted in sending the tea on which this duty was to be paid back to England, not suffering it to be sold or landed in others, and in Boston, when they were prevented from sending it back, it was entirely destroyed, but no person hurt, nor any blood shed. ¶

mitted to spread, none can tell ; but in these alarming circumstances the liberty of this continent, of which we are a part, the safety and domestic peace of this province, will naturally become a subject of your deliberations ; and here I may well adapt the language of old, “ There  
 “ was no such deed done nor seen from the day  
 “ that America was first settled unto this day ;  
 “ consider of it, take advice, and speak your  
 “ minds.” Judges xix. 30. I mean not to anticipate and direct your counsels ; but, from your desire I should speak on this occasion, I take it for granted you will permit me to offer such hints as may appear suitable to the place and design of our present meeting.

In the first place, as there is no evil in a city in which the hand of God may not be seen, so in vain is salvation looked for from the hills and from the mountains, but can come from him only who has made heaven and earth. This undoubtedly is a day of trouble, but God saith to his people, “ Call upon me in a day of trouble,  
 “ and I will deliver thee.” Ps. l. 15. “ What  
 “ nation has God so nigh unto them, as the  
 “ LORD our God is in all things that we call  
 “ upon him for.” Deut. iv. 7. If this be our first step, if first of all we look unto him from whom our help cometh, we may hope all will be well at last. Let us be thoroughly convinced of this, we must stand well with God, else it can never be well with us at all : without him and his help we can never prosper. The LORD  
 is



is with you, if you are with him : “ if you  
 “ seek him, you will find him ; but if you for-  
 “ sake him, you will be forsaken by him.”  
 2 Chron. xv. 2. If GOD be for us, who can be  
 against us ? if he be against us, who can be  
 for us ? Before we think on, or look any where  
 else, may our eyes be unto GOD, that he may  
 be gracious unto us. Let us humbly confess and  
 speedily turn from our sins, deprecate his judg-  
 ment, and secure his favour. “ Rent your hearts,  
 “ and not your garments, and turn unto the  
 “ LORD your GOD, for he is gracious and  
 “ merciful, slow to anger and of great kindness,  
 “ and repenteth him of the evil, who knoweth  
 “ if he will return and repent, and leave a  
 “ blessing behind him, even a meat-offering and  
 “ a drink-offering unto the LORD your GOD.”  
 Joel ii. 13, 14.

Let it be a standing rule with every one that is  
 to sit in council upon this occasion, “ so to speak,  
 “ and so to do, as one that is to be judged by the  
 “ law of liberty.” Let us most carefully avoid  
 every thing that might make us incur the dis-  
 pleasure of GOD, and wound our own con-  
 sciences. The effects of your deliberation may  
 become very serious and extensive, and the con-  
 sequences extremely important : think therefore  
 before you speak, deliberate before you execute,  
 and let the law of liberty, by which you are  
 hereafter to be judged, be the constant rule of  
 all your words and actions. Far be it from us  
 to be reduced under laws inconsistent with liberty,  
 G and

and as far to wish for liberty without law ; let the one be so tempered with the other, that when we come to give our account to the supreme lawgiver, who is the great judge of all, it may appear we had a due regard to both, and may meet with his approbation.

Such always hath been, and such is still the attachment of America to the illustrious house of Hanover, that I need not put you in mind of our duty to the king as supreme. By our law the king can do no wrong ; but of his present majesty, who is universally known to be adorned with many social virtues, may we not justly conclude that he would not do any wrong, even though he could ? May we not hope, that to the greatness of a monarch he will superadd the feelings of the man, the tenderness of a father ? May we not hope, that when the truth of things, the tears of his suffering subjects, the distresses caused by acts extremely ill advised, once reach his notice, a generous pity will force his heart, and that pity, when he feels it, will command redress ? “ The heart of the king is in “ the hand of the LORD, as the rivers of water, “ and he turneth it as he pleaseth.” Prov. xxi. 1. Most earnestly therefore let us pray, that in this great and most important matter also God may give unto the king an understanding heart, that power may be governed by wisdom, and the wheels of government roll on with justice and de ration.

Should

Should you think that all our present distress is owing to evil counsellors, nothing need to hinder you from praying that God would turn their counsels into foolishness: you may make it your earnest request, both in public and in private, that the wicked being removed from before the king, his throne may be established in righteousness; that the rod of the oppressor may be broke, and justice and equity take place of tyranny and oppression.

It may be owing to nothing but the firm attachment to the reigning family, that so many Americans look upon the present measures as a deep laid plan to bring in the Pretender. Perhaps this jealousy may be very groundless; but so much is certain, that none but Great Britain's enemies can be gainers in this unnatural contest \*.

Never let us lose out of sight that our interest lies in a perpetual connection with our mother country. Notwithstanding the present unwise and harsh measures, there are thousands in Great Britain that think with us, and wish well to the American cause, and make it their own: let us convince our enemies, that the struggles of America have not their rise in a desire of independency, but from a warm regard to our

\* Were it designed to give the Pretender an opportunity; to raise divisions in Great Britain, starve the manufacturers, send away troops from Ireland and Scotland, and breed civil war in America, must all be circumstances too favourable, and I may say very tempting to promote such a project.



common constitution ; that we esteem the name of Britons, as being the same with freemen : let every step we take afford proof how greatly we esteem our mother country, and that, to the wish of a perpetual connection, we prefer this only consideration, that we may be virtuous and free \* :

Let me intreat you, gentlemen, think coolly, and act deliberately : rash counsels are seldom good ones : ministerial rashness and American rashness can only be productive of untoward compounds : inconsiderate measures, framed on the other side of the Atlantic, are the cause of all our mischiefs ; and it is not in the least probable that inconsiderate measures in America can be productive of any good. Let nothing be done through strife and vain glory ; let no private resentment nor party zeal disgrace your honest warmth for your country's welfare : measures determined on by integrity and pru-

\* The idea of a separation between America and Great Britain is big with so many and such horrid evils, that every friend to both must shudder at the thought. Every man that gives the most distant hint of such a wish, ought instantly to be suspected as a common enemy ; nothing would more effectually serve the cause of our enemies, than any proposal of this kind ; all wise men and all good men would immediately speak, write, and act against it : such a proposal, whenever it should be made, would be an inlet to greater evils than any we have yet suffered. But what America detests as the greatest evil, a British ministry has taken the greatest pains to effect ; has wasted British blood and treasure to alienate America and Great Britain ; the breach is growing wider and wider, it is become like a great sea ; every moment is a loss that is not improved towards bringing about a reconciliation.

dence,

dence, are most likely to be carried into execution by steadiness and moderation. Let neither the frowns of tyranny, nor the pleasure of popularity, sway you from what you clearly apprehend just and right, and to be your duty. Consider how much lies at stake ; how greatly your religion, your liberty, your property, your posterity, is interested. Endeavour to act like freemen, like loyal subjects, like real Christians, and you will “ so speak, and so act, as they that shall be “ judged by the law of liberty.” Act conscientiously, and with a view to God, then commit your ways to him ; leave the event with God, and you will have great reason to hope that the event will be just, honourable, and happy.

And now, gentlemen, you have the wishes and prayers of every thoughtful person, that your deliberations may be carried on with candour, unanimity, and prudence ; may be blessed to preserve the quietness of this province, and co-operate in restoring the rights and tranquillity of all America, as well as promote the prosperity of the whole British empire. This will afford you a heart-felt satisfaction, and transmit your name to posterity with honour, when all those who had opposite views, and fought their greatness in the ruin of others, will be held in abhorrence and detestation.

I have but a few hints to give to my hearers in general.

The

The times are evil ; this is a day of adversity, and in a time of adversity we ought to consider. It may perhaps soon become impossible, even to the most indolent, to continue unconcerned ; and those that wish no more than to hide themselves in quiet obscurity, may not always have it in their power to remain neuter : to know the signs of the time, is a considerable part of human prudence ; and it is a still greater to walk circumspectly, and redeem the time, because the days are evil. Whatever part you may think yourselves obliged to take, “ so speak, and so do, “ as they that shall be judged hereafter, and “ judged by the law of liberty.”

In these times of confusion I would press on my hearers a most conscientious regard to the common laws of the land. Let our conduct shew that we are not lawless ; by well-doing let us put to silence the reproaches of our adversaries. Let us convince them that we do not complain of law, but of oppression ; that we do not abhor these acts because we are impatient to be under government, but being destructive of liberty and property, we think them destructive also of all law. Let us act “ as free, and yet not make “ liberty a cloak of maliciousness, but as the “ servants of God.”

While it is yet peace and quietness with us, let us not think ourselves inaccessible to the evils which are already come upon others ; there are some evils which we would rather deprecate in private than speak of in public, against which  
being



being fore-warned, we should be fore-armed; every trifling report should not alarm us, but it would be folly still greater not to be on our guard against sudden dangers.

Remember them that suffer adversity, as being yourselves also in the body. Think on those who are driven from their habitations and all their conveniencies of life, or confined in their own houses by an enraged soldiery, to starve in their own country in the midst of property and plenty, not permitted to enjoy their own, and distressed in every connexion, and this without any cause alleged against numbers of them, without complaint, suspicion, or a legal trial: the like was never heard since the cruel siege of Londonderry, and is a species of cruelty at which even that hard-hearted bigot James II. relented.

Above all, let every one earnestly pray, that HE that is higher than the highest would soon make a righteous end of all their confusion; that he would incline the king to hear the cries of his subjects, and that no more innocent blood may be shed in America.

One thing more: consider the extreme absurdity of struggling for civil liberty, and yet to continue slaves to sin and lust. “ Know ye not to whom ye yield yourselves servants to obey? his servants ye are to whom ye obey, whether of sin unto death, or of obedience unto righteousness.” Rom. vi. 16. Cease from evil, and do good; seek peace, and pursue it: who will hurt you while you follow that which is good? become

become the willing servants of the LORD JESUS CHRIST, hearken to and obey the voice of his gospel, for “ where the Spirit of the LORD is, “ there is liberty ;” and “ if the Son makes you “ free,” THEN, and not till then, “ SHALL YOU “ BE FREE INDEED.”

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*From the similarity of the subject, an extract from another Sermon is added.*

THE question between Great Britain and America, which has already been productive of such alarming effects, is, “ Whether the “ Parliament of Great Britain have any power or “ authority to tax the Americans without their “ consent ?” Every impartial man will allow that this is the foundation of the whole dispute. It is evident that in this question conscience is deeply interested, and in this view it becomes a very proper subject for the pulpit. If any thing is required of subjects which in conscience they are bound to pay, give, or do, the refusal of it is not only a crime against the state, but also a sin against God : I think it therefore not only not improper, but my duty, to point out unto my hearers such hints and precedents as may illustrate this matter from the word of God.

The case I would state thus : “ Whether any “ duty or impost supposed to be laid on in an illegal manner, and inconsistent with natural “ and civil rights, from motives of conscience “ ought

“ ought nevertheless to be paid?” and to elucidate this, I observe the general rule is this: “ Render therefore to all their dues; tribute to whom tribute is due, custom to whom custom; fear to whom fear, honour to whom honour.” Rom. xiii. 7. There is something *due* to government which cannot be refused without injustice, and more than which cannot be demanded without tyranny and oppression. When our LORD was asked, “ What thinkest thou, is it lawful to give tribute unto Cæsar or not?” he gave a very wise and general answer, “ Render therefore unto Cæsar the things which are Cæsar’s, and unto GOD the things which are GOD’s. Matth. xxii. 17. 21. We are informed, that upon another occasion he paid the tribute-money, and that after asking Peter of whom do the kings of the earth take custom or tribute, and Peter answering, “ of strangers;” he remarked, “ Then are the children free;” and yet nevertheless, as a voluntary act, ordered Peter to “ take a piece of money, and give unto them for me and thee.” Matth. xvii. 25. 27.

On these passages I shall make but two remarks, which are very obvious, and will apply themselves: 1. How far soever the power of the magistrate and the submission of the subject may be extended, it is plain that by these rules and precedents property is left to the subject. To render, give, or pay, supposes property. Those who may be justly deprived of what they possess, at another’s pleasure, cannot be said to be pos-  
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sessed



essed of any property, and therefore they can neither give, pay, or render; they are themselves the property of another. I would further observe, 2. That from the answer our LORD gives unto Peter, it appears, that sovereigns ought to treat their subjects as children, and that children ought to be free. O the free and benevolent spirit of the gospel!

By some it is urged, that sovereigns have a right to take away what their subjects possess, at pleasure. This right they ground on the following passage, 1 Sam. viii. 10.—“ This will be the  
 “ manner of the king that shall reign over you ;  
 “ he will take your sons, and appoint them for  
 “ himself, for his chariots, and to be horsemen,  
 “ and some shall run before his chariots—and he  
 “ will take your daughters to be confectionaries,  
 “ and to be cooks and bakers; and he will take  
 “ your fields, and your vineyards, and your olive-  
 “ yards, even the best of them, and give them  
 “ to his servants; and he will take the tenth of  
 “ your seed, and of your vineyards, and give to  
 “ his officers and his servants; and he will take  
 “ your men-servants and your maid-servants, and  
 “ your goodliest young men, and your asses, and  
 “ put them to his work; he will take the tenth  
 “ of your sheep, and *ye shall be his servants.*”  
 Here then, according to some, is the warrant of divine right for arbitrary power. Those however, who found authority to do what is wrong in a representation, meant to deter the Jews from putting it in any man’s power to treat them thus,  
 would

would do well to consider, that from the text itself it plainly appears, this was not to be considered as a right, but as a grievance, which their folly had brought on themselves. “ You shall  
 “ cry in that day, and the LORD will not hear  
 “ you.” Your misery will be the effect of your own folly. We have another precedent which seems somewhat in point: Rehoboam was a foolish son of a wise father; it seems he laid a tribute on Israel: 2 Chron. xiii. 18. the people applied unto him, presented their grievances, and prayed redress: “ Thy father made our yoke grievous;  
 “ now therefore do thou make it lighter, and we  
 “ will serve thee.” This the council of the old men advised him to do; they said, “ If thou  
 “ wilt speak good words unto them, they will be  
 “ thy servants for ever.” But more violent counsels prevailed, the acts were enforced, “ I will  
 “ add to your yoke, I will chastise you with scorpions.” This the deluded monarch probably considered as firmness and dignity; but what was the event? When all Israel saw that the king hearkened not unto them, they said, “ What  
 “ portion have we in David? to your tents, O  
 “ Israel! now see to thine own house, David.” A kind and just answer might have prevented this; and what did the king himself gain? “ The  
 “ king sent Adoram, who was over the tribute,  
 “ and all Israel stoned him that he died,  
 “ and the king *fled* to Jerusalem.” Thus far tyranny was very unsuccessful. But this is not all; when the army of Judah was now ready to  
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fall upon the ten tribes, God himself interposed  
 “ Ye shall not fight against your brethren the  
 “ children of Israel ; return every man to his  
 “ house, for this thing is of me.” Thus this  
 matter ended in a separation of the two king-  
 doms, and this very Rehoboam himself after-  
 wards became a servant, and tributary to the king  
 of Egypt.

I leave the application of all these things to  
 those whom it may concern ; but would further  
 observe,

Every government must be supported ; and  
 what is necessary for the support of government,  
 is also justly due, and ought to be GIVEN with  
 readiness and willingly.

Those that think their superiors have a right to  
 take away their property, or any part of it without  
 their consent, upon their own principle are guilty  
 of sinful resistance and rebellion, if they do not  
 comply with whatever government may demand\*.  
 Those that think every government has no further  
 right than according to the laws and constitution  
 of its respective country, should be very careful  
 nevertheless to obey not only for wrath, but also  
 for conscience sake ; and under whatever grievances  
 they may labour, never to make use of any me-  
 thods of redress unjust in themselves, nor of any  
 remedies that may be worse than the disease.

\* King James the First asked the bishops Nelson and Andrews,  
 whether he had a right to raise money on his own authority ? The  
 former affirmed it, because your majesty is the anointed of the  
 Lord, and the breath of our nostrils. The latter replied, “ I think  
 if your majesty has a good right to my brother Nelson’s money.”



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A SHORT AND CONCISE ACCOUNT OF THE  
STRUGGLES OF *SWISSERLAND* FOR  
LIBERTY.

**T**O a benevolent mind taking a survey of the globe, it must be a very melancholy consideration that liberty, which is the birthright of man, is still confined to a few small spots of our earth : all Asia and Africa are out of the question ; in the southern hemisphere of America it is unknown, and astonishing pains are now taken to drive it out of this northern continent. In Europe Great Britain is commonly viewed as the seat of it ; but if the conjecture of the bishop of St. Asaph be not void of foundation, even there it hath a sickly countenance ; *SWISSERLAND*, by that great man, is the only country which deserves to be called free, and even Voltaire pronounceth it happy. By what means the Swiss recovered and preserved their freedom, is the subject of the following narrative.

The three countries (usually called cantons) of Ury, Switz, and Underwalden, which first entered into a confederacy that laid the foundation of the republic of *Swisserland*, are but of small extent, all the three cantons together do not exceed

ceed seventy miles in length, and about thirty in breadth ; they are also very thinly inhabited, owing to their situation among the Alps, many of which are covered with everlasting snow, and inaccessible to man or beast : it is usually said of the climate, that there is nine months winter, and three months cold. At the time of their revolution, the country was not nearly so well cultivated as it is at present, and at present all the inhabitants of the three cantons, capable of bearing arms, are not estimated above 12,000 men ; a small number to make head with, as they did, against the very powerful house of Austria. Power and number do not prove the justice of any cause ; and it is more honourable to be defeated in the cause of virtue and justice, than to erect trophies to injustice and oppression. All Swisserland was subjugated by Julius Cæsar ; it became afterwards subject to different lords, and had a nobility which treated their inferiors with great petulancy and violence. The three cantons chose Rudolph of Habsburg to be their captain ; and on his being chosen Roman emperor in 1273, the nobility complained against these countries before him, and called them rebellious ; but when the emperor saw their charters, he acquitted them, confirmed their privileges, and gave them governors that were not inhabitants of these countries, and were not to tyrannize over, but only from time to time to come among them to administer justice. Thus the country was quiet, submitted to their governors ; and had they been always treated with

with equal justice, probably would have continued so to this day ; but *Nullum violentum diuturnum*, “ Nothing that is violent lasts long.”

After the decease of Rudolph of Habsburg, Adolphus of Nassau was chosen emperor ; he confirmed their liberty, and they continued in submission to his government. Adolphus was slain in battle by the hands of his rival, Albertus of Austria, son of Rudolph ; and it has been observed, that neither this Albertus, nor any that were active against Adolphus, died of a natural death.

Albertus of Austria, having a numerous family of children, projected the establishment of a new principality in Swisserland, which then was a part of the empire ; many imperial fiefs he appropriated to the house of Austria, purchased some jurisdictions which belonged to monasteries ; and having made himself master of some strong places, he thought to subdue these three cantons also, and sent ambassadors to Ury, Switz, and Underwalden, requesting that they would surrender themselves to him and the house of Austria, under many very fair promises. When his ambassadors arrived among them, the cantons produced their charters, and also sent an embassy to the emperor, praying that they might be confirmed, and that they might not be torn from the empire, and put in subjection to the then new house of Austria. Instead of being gratified, as they had hoped, they were not only refused, but the emperor also would not take the least notice of  
their



their complaints against their governors, but appointed two new governors over them, which from day to day proceeded to new and unheard of acts of violence. The design was, by such means to excite an insurrection among the inhabitants, and then, under pretence of being rebellious, to make war upon them, and entirely to bring them under the yoke. These are the express words of an historian, and in different times and places tyranny makes use of the same arts. The tyranny and cruelty of these governors continually encreased. At that time there lived in Underwalden an aged and honest inhabitant, whose name was Henry de Melchdall. The governor ordered two oxen to be taken from his plough, without even charging him with any crime; the honest man wanted at least to know what had been his fault; but the governor's officer answered it was the will of the governor that henceforth the peasants should work in the plough themselves, and took away the oxen by force; the son of the farmer, enraged at so much injustice and violence, gave the officer a blow with a stick, and wounded his finger, and then fled the country immediately. The governor put his aged father in prison, and wanted to oblige him to deliver up his son; he excused himself that he did not know what became of him, but the governor ordered both his eyes to be put out, and took from him all he had.

The castle of Rozberg was occupied by the governor's deputy of the family of Wolfenschiefs,  
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the same seeing a very handsome woman wanted to constrain her to gratify his brutal lust; under some pretence she withdrew, met her husband, who being informed of it, gave the governor a back-stroke with an axe, and also immediately fled the country.

Werner Stauffacre, a respectable man in the canton Switz, was building a handsome new house; the governor riding by, enquired of him whose it was? Stauffacre, aware of some design if he should dare to call it his own, replied, “My noble governor, the house belongs to my king and you, and it is my fief.” This frustrated the governor’s design, but he told him withal, I will not suffer it that peasants should build houses for themselves as though they were lords; I will bridle you more closely.

Governor Grissler of Ury could not help perceiving the dissatisfaction of the people; and that he might discover the malecontents, he placed a hat on a pole at Altdorff, and gave strict orders that every one should pay that hat the same honour as if he were present himself; he also placed some spies to observe who should pay obeisance to his hat, and who should neglect it. This insolence wrought so effectually on the people, that even some of the nobility declared it impossible any longer to endure such tyrannical proceedings. Among numbers that thought so in their hearts, there was one that had courage to refuse submission to such a badge of abject slavery. William Tell passed several times with-

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out pulling off his hat ; he was informed against, and after some imprisonment, condemned, at the distance of one hundred and twenty yards, with his bow and arrow to take off an apple off the head of a beloved child of his about six years old, and threatened with death in case he missed. No remonstrance availed, his life and that of his son was threatened in case of refusal ; the afflicted parent most tenderly took his leave of his child, the spectators melted in tears, but he providentially hit the apple without doing any injury to his child. This happened October 30, 1307 ; and romantic as it may seem, public monuments to this day confirm the truth of the fact. The people congratulated Tell on his success ; but the governor observing he had another arrow in his quiver, asked him the meaning. Tell at first excused himself with the common custom of marksmen ; but this not satisfying the governor, and he solemnly promising him his life if he should declare the truth, Tell very frankly said, that had he had the misfortune to have done any injury to his child, he was determined to send the next arrow to the heart of the tyrannical governor. The governor condemned him to imprisonment for the rest of his days. Tell was permitted to bid farewell to his family, and then bound to be carried across a lake to the place of his captivity, and in the same vessel the governor also passed with his attendants. The lake of Lucerne is very liable to severe and sudden tempests ; a storm of this kind brought them all into  
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the most immediate danger : in this extremity Tell, who was known to be a good pilot, was ordered to take the helm, and he laboured so effectually, that he brought the vessel near the shore ; which he had no sooner effected, than he jumped out, and pushed the vessel off. The governor, with great difficulty, landed at some distance, but in the way to his castle he was way-laid by Tell in a narrow road, who placed the reserved arrow in his heart, that he instantly fell dead from his horse ; and Tell had time to fly to some of his friends, and give them notice of this event. These were Werner Stauffacre, Walter Furst, and Arnold de Melchdall ; these were partly sorry to hear of this event, as it had been agreed upon to do nothing before the first of January 1308, when an attempt to recover liberty was to be made by the three cantons at once : they apprehended the killing of the governor before they were ready to follow the blow, would frustrate their attempt, and bring matters to a crisis before they were prepared ; but tyrants frequently hasten their own doom by their own measures.

The oppressive governors were possessed of three castles, and unless these were reduced, the oppression must become every day more intolerable. One of the confederates had an amorous connexion with a servant-maid in the castle of Rozberg : she, as usual, furnished him with means of entering, and he introduced twenty of his friends, who seized the castle and the governor without difficulty. The castle

at Sarnen was taken by another stratagem : it was customary on new year's day to bring presents to the governor ; twenty of the confederates accordingly appeared at the castle gates early in the morning, and made the governor the usual compliments, armed with nothing but long staves : the governor was going to mass, and as he saw them without arms, ordered them to carry their gifts into the castle. They had no sooner entered, but they fixed irons which they had concealed to their sticks, made prisoners of the garrison, and the castle was demolished. The governors betook themselves to flight, and nobody offered to pursue them. Thus in one day all the strong holds were taken and destroyed ; and the next day the three cantons solemnly swore to each other for the space of ten years. This small beginning laid the foundation of the republic of Switzerland, which has maintained its freedom and independency until this time, and nearly survived the liberty of most states of Europe.

The emperor Albert had now obtained his wish, viz. a pretext to reduce the cantons by open war, under pretence of rebellion. He immediately repaired to Baden, *stopt all commerce with these three cantons, and ordered his vassals to declare war against them* ; but while he meditated war against an oppressed people, he was himself murdered by his nephew, whose inheritance he unjustly detained from him : his murderer hoped to find a place of retreat among these cantons ;  
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but the Swifs, zealous for their liberty, were incapable to fecure it by giving an afylum unto criminals: his widow was fo bent upon avenging the death of her husband, that ſhe took no meafures againſt the Swifs, who had refiſted the oppreſſions of their tyrannical governors.

Leopold, the ſon of Albert, when he came of age, determined to make war againſt the three cantons, and collected an army of 20,000 men for that purpoſe: his plan was to attack the confederates the 15th of November 1311, at a place called Morgarden, ſituate between a lake and a mountain. In expectation that the inhabitants of Underwalden would come to the aſſiſtance of the confederates, the count of Straßberg and the city of Lucern were to invade the cantons at the ſame time, and at two different places. At dinner he aſked the opinion of his jester, who replied, “ All adviſe how to enter “ into the country, it ſeems to me neceſſary to “ conſider how to get out again.” His advice was deſpiſed, but verified by the event. A brave and virtuous people may be attacked, but woe to tyrants that cannot retreat!

The plan was exactly followed: Leopold made a falſe attack at Arth, and perhaps the confederates would have placed all their little force there, if they had not received an information to “ beware at Morgarden.” To that place the cantons Ury and Underwalden ſent 700 men, and the canton Switz an equal number, who  
were



were posted on a mountain called The Saddle. On the day appointed the duke of Austria advanced at the head of his cavalry, his troops marched in great confidence, *sure to obtain an easy victory upon peasants, badly armed, and without military discipline.* Accordingly they proudly pressed into a defile, when they were stopped by 50 men, who had been banished the cantons for crimes, and whom, notwithstanding their request, the confederates would not think worthy to fight for liberty, even upon this pressing occasion. These men, however, by generously exposing themselves for their country, hoped to deserve the pardon of former crimes; they posted themselves on a very steep hill, above a narrow path, where the Austrian army could not march above two men a-breast; they suffered them very quietly to advance, but when a considerable number were now engaged in these narrow roads, they sent such a shower of stones and rolled large pieces of timber among the Austrian cavalry, that they were soon put in confusion; which the Swiss no sooner perceived, than they fell upon them with such fury, that they were obliged to retreat towards the plain: to gain ground to form the order of battle, the infantry opened their ranks to let the cavalry pass; at this moment the confederates broke in upon them, and standing on rising ground their halberds did most dreadful execution. A cotemporary author saith, it was not a fight but a massacre. The prince lost near 1500 of his horse

horse ; the loss of the infantry could not be ascertained, but 52 men from Zurich, then in the interest of Austria, were all found slain in a heap : the loss of the confederates was incredibly trifling. Meanwhile the count of Straßberg, with 4000 men, had also invaded Unterwalden, who sent to their friends at Morgarten, and 400 of the victorious Swiss instantly fled to their relief ; they came up with a body of their own people, with whom they attacked the count, who seeing colours among them that had been at Morgarten, judged his master was defeated, and so fled. The Swiss killed about 300 of his men in the retreat. After this battle gained, the three cantons entered into a perpetual alliance, which no power has since been able to break, and which heaven has remarkably preserved.

One of the next greatest battles the Swiss fought in defence of their liberties, was in the year 1386. Leopold, duke of Austria, personally repaired to Switzerland, in order to carry on the war with greater vigour. The duke had resolved to lay siege to Sempach ; the confederates had intelligence of it, and both opposite armies arrived before this little town the very same day. The Austrian advanced-guard, consisting of about 1400 men, committed all manner of violence on their territory : one of their officers mounted a cart loaded with halts, and threatened to hang all the inhabitants before sun-set. The Austrians insulted the Swiss ; it being in the  
time

time of hay-making, they came so near the walls to speak to them, and desired they would send dinner and wages to their mowers. The Swiss replied, it was not the custom of the Swiss to pay wages till they were earned, and that they would prepare a dinner for them that many spoons should drop out of their hands. The duke's army consisted of about 4000 picked men, and among them many princes and noblemen, armed from head to foot. The confederates were about 1300 men, badly armed, and all on foot; they had no arms but halberds, and fastened pieces of wood on their arms, to fend off and break the blows of the enemies, their order of battle was very close, and represented an angle, one soldier was followed by two, two by four, and so on; in this order this handful of men courageously advanced against the enemy. Before they began the engagement, as was usual with them, they fell down to prayers, which made the duke's jester say, "Leopold, my  
 " countrymen (for he was a Swiss) have all lift  
 " up their hands, and sworn to almighty God  
 " to kill thee." An Austrian officer, observing their undaunted countenance, advised to delay the battle till next day; but a nobleman declared  
 " He would deliver that handful of boors before  
 " supper into the hands of the duke roasted or  
 " boiled, as he should best like them." The nobility were so eager to engage, that they dismounted, gave their horses into the care of their  
 servants



servants, and would not suffer any but noble-men to share in the honour of the day. It happened that a young nobleman, in cutting off the long point of his shoe (as all the rest did) wounded his toe, which made him cry, where-upon the nobility ordered him out of the rank, as unworthy to fight. His brethren were all slain, and his life was saved. When the battle begun, the superior power of the Austrians in men and arms soon appeared, and 60 confederates were killed before they could make the least impression on their enemy: in this distress a brave knight of the family of Winkelried resolved to sacrifice his life for his country; he accordingly advanced boldly, and with his arms grasped and bent down as many of their long pikes as he could hold, which his companions observing, they pressed after him with irresistible fury, broke in with their halberds upon the Austrians, and made dreadful havock.

It is said, that before the engagement they proclaimed that every man that thought himself insufficient to encounter ten Austrians might withdraw, and that about 300 withdrew accordingly; but when these saw the Austrians order of battle broke, they hastened to assist their brethren; and the nobility losing courage, gave way to the Swiss, and many of them, from the heat of the day and the severity of the engagement, were suffocated by the weight of their own armour. The duke was several times entreated to withdraw, but seeing his banner in danger, he gallantly advanced to rescue it, but fell in the attempt.

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When the servants, who had been ordered in the rear with the horses, saw the defeat of their masters, they mounted their masters horses, and left them to shift for themselves. It is supposed the loss of the Austrians amounted to 2000, including 667 of the nobility, and among them 350 with crowned caskets. The Swiss lost about 200, who were all carried to their respective homes. The third day they permitted the enemy to carry off their dead, among whom the duke was the principal; he was carried off the field of battle in a great box (still extant), which, it is said, had been full of halts to hang the confederates. The Swiss, in hopes of obtaining peace, were sparing of the blood of the Austrians, and did not pursue them in their retreat: they had reason to repent afterwards of their lenity; but the continuance of the war served only to encrease the victories and fame of the Swiss confederates. The sons of the defeated Leopold made great preparations for war, and many imperial cities joined with them against the Swiss: a truce was indeed concluded, which the Austrians badly kept, and by surprize and secret intelligence made themselves masters of Wesen, the possession of which laid the whole canton of Glaris open to their ravages. The Swiss confederates advised that canton to get the best terms possible; but those proposed by the Austrians were so excessively severe, that the treaty came to nothing. The Austrians proposed themselves to invade that country with about 8000 men: the inhabitants

habitants had cast up an entrenchment, which was defended by about 350 men; when the Austrians advanced, these finding themselves too weak to resist, retreated to a rising ground: the Austrians penetrated into the country, and burned the village of Nafels, and then attacked the above-mentioned handful of inhabitants, who received them with a shower of stones; the Austrians having retreated a little to put themselves under cover, the Swiss seized the favourable moment, and fell upon them with such fury, that after an engagement of five hours they were forced to fly. The Swiss pursued and came up with them at a bridge, where about 700 Swiss had gathered; the Austrians in their confusion, not aware that the bridge was broke, pressed on, and numbers were drowned. The loss of the Austrians was computed at 2000, while that of the Swiss did not exceed 55 men.

The dukes of Austria again consented to a truce, by which the Swiss were to remain in possession of all their conquests; this truce in 1314 was renewed for twenty, and in 1412 for fifty years longer. The Swiss made use of these times of tranquillity to give stability and perfection to their military discipline. In 1393 they agreed upon the following regulations among themselves.

1. No church or chapel to be attacked, unless it be made use of as an asylum by the enemy.

2. No woman to be violated or insulted. 3.

*Every Swiss engageth to sacrifice his substance and*  
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*life*



*life for his country.* 4. No Swiss to forsake his post, even though wounded. 5. None to pillage without leave of his commander, and the spoils to be equally divided. 7. All that send provisions to the Swiss shall be protected. 8. No canton to make war without the consent of the rest. 9. No Swiss to take away any thing by violence from another, neither in time of war nor peace,

The Swiss carried their military discipline to such perfection, that Machiavel says no nation ever exceeded them in that respect, except the Romans.

On the whole then we may conceive the rise and progress of liberty in Swisserland thus : 1. They had some rights and liberties granted them by emperors, which do not appear very considerable. 2. The emperors of the house of Austria endeavoured to separate them from the Roman empire, and bring them to subjection to the then rising house of Austria. 3. Against this the Swiss remonstrated, petitioned, and pleaded their charters. 4. Governors were sent among them, who were to, and did, oppress them, in order to drive them to some act of despair, which their enemies intended to term *rebellion*, and under pretence of it reduce them by force of arms. This, 5. at length produced confederacies, first only of three men, by degrees of three small countries, which increased gradually to *thirteen* cantons, besides some confederates.

federates. 6. To subdue them, a stop was first put to their trade, and afterwards they were attacked by force. 7. When attacked, they defended themselves with incredible bravery, and under every possible disadvantage resisted every attack, and at last obliged their enemies not only to desist, but to declare them a free state; and though surrounded by Austria, France, and Savoy, they have continued free and brave ever since; and may they do so to the end of time!

