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A
LETTER

FROM

A Gentleman in the CITY,

TO

One in the COUNTRY;

Concerning the

BILL

For Disabling the

Duke of York

To Inherit the

Imperial Crown

Of this

REALM.

LONDON; Printed in the Year, 1680.

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A Letter from a Gentleman in the City, to
one in the Country.

Sir,

THE Nation being awakened out of that Lethargy, which for so many Years had bound up its Senses, and deprived it of all feeling and Perception; begins at last to discern its danger and to provide against the ruine and mischiefs which threaten it. Accordingly the House of *Commons* have not only declared, *nemine contradicente*, That the Duke of York's being a Papist, hath given the greatest countenance to the present Designs and Conspiracies of the Papists, against the King and Protestant Religion; but have brought in a Bill, *Disabling him to Inherit the Imperial Crown of this Realm*.

Now, Sir, this being the Affair I design to Write freely to you about, I presume in the very entrance to tell you, that they could do no less, without abandoning themselves, and the whole Kingdom, to Bondage and Popery. And all true *English Men* as well as *Protestants*, are so fully satisfied of the necessity and Justice of the course which they steer; that they not only applaud and commend them in what they have undertaken, but are ready to stake their Lives and Fortunes towards the seeing it effected and accomplished.

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Sect. I. Nor, in the first place, can the *Papists* themselves Condemn us for taking these due ways and Methods to secure our Religion, and preserve our Lives and Properties; seeing they are not only agreeable to the Measures, (but much more modest) which they have taken in Forreign Countries to preserve their own. Shall it be lawful for the *French*, to endeavour to preclude *Henry the 4th.* from enjoying the Crown of *France*, because he was a *Protestant*, and must it be unjust for the *English* to debar *James Duke of York* from attaining the Sovereignty over this Realm, that is a *Papist*? Shall the *Pope* and *Church of Rome* cherish and justify a Bloody War, upon the alone foot of his being of a different Religion from what was received in that Nation? And shall not we be allowed to use such legal means, as are consistent with and warranted by our Constitution, to hinder a *Papist* from ascending the Regal Throne of this Kingdom? Shall it be lawful for those in the Communion of the *Papal Church*, to advise *Phillip the 2d.* of *Spain* to Murder his Son *Charles*, for speaking only favourably of his Fathers Subjects in the *Netherlands*, who were called *Lutherans*? And shall not we have the liberty humbly to pray and desire our King, to desert a Brother who hath Plotted the Ruin of his *Majesties Subjects*, and for no other reason but because they are not *Papists*. And suppose it should be said; that these methods were not only unjust, but Condemned by some of the very *Roman Communion*; yet the disparity is so great between a *Papist* arriving at the Government over a *Protestant Kingdom*, and a *Protestant* being advanced to Reign over a *Papist* Countrey, that it will no ways follow from thence, that what the Parliament have undertaken, is in the least repre-

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reprehensible. For no *Protestant* Prince will either enslave his Kingdom or Subjects to a Forreign Jurisdiction, nor call his People into question for their Religion, provided they be not influenced by the Principles of it, to disturb the Government, and disquiet the Civil Peace. So that *Papists* instead of receiving prejudice by having a *Protestant* Prince to rule over them, they become possessors of many advantages as to safety, ease and immunities, which their being under a *Papist* King excludes them from. And therefore it is, that we find the *Papists* do no where so fully enjoy the Right and Liberties of mankind, as in some *Protestant* Nations, where they have had the Wit and Sobriety, not to molest their fellow Subjects, or Conspire against the Government under which they live. So far as their Religion is found to have an Influence only upon a future Life, and meerly to endanger their own happiness; they are pitied instead of being Capitally Prosecuted, and the worst they are made to suffer, is now and then to be rationally accosted by their Neighbours, and addressed unto by arguments, which may conduce to rectify and instruct their Judgments. Whereas through the having a *Papist* Prince Succeed over a *Protestant* People, they become immediately subjected to the severest Punishments, and that upon the alone score of their Christian Profession. It is not only lawful for such a Prince to destroy those of his Subjects, who disagree from him in Faith and worship, but it is an indispensable Duty upon him to do it. Nor is he only sure of a Pardon upon the accomplishing so Blessed a work, but the merit of the Atchievement entitles him to unspeakable Happiness and a Glorious Crown.

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SECT. 2. And this conducts me to the 2^d. thing, namely that no *Papist* ever since the Reformation succeeded to Supream Authority over a *Protestant Country*, but he both endeavoured to overthrow the Religion which he found Established, and pursued his Subjects with the most outrageous *Cruelties*. Nor hath the Loyalty of their *People* been able to appeale or obstruct their indignation, but they have been treated as the worst of *Criminals*, because they would not renounce the Faith which they had embrac'd. This is so certain and beyond all control as to matter of Fact, that there is not one instance upon the whole file of History to the contrary. Wheresoever any of the *Popish* Belief, have attained the Sovereignty over a *Protestant Nation*; whether they were *Crowned Heads* or *Princes* of a more Inferior Rank, they have Univerſally applyed themselves to Subvert the *Protestant Religion*, which they found legally settled, and to destroy those innocent and generous Souls which had the courage to own it. And if *Sweedland, Hungary, Bohemia*, and several *Principalities* in *Germany*, do not suffice to confirm the truth of this Assertion; *England* can produce *Queen Mary* in the proof, and for the attestation of it. And as I challenge any man to assign so much as one opposite Example, so it is not to be expressed what *Cruelties* they have used towards the accomplishing their Design of rooting out *Protestancy*, and re-establishing *Pope-ry*. Not only Laws have been trampled upon, but *Cities* and *Kingdoms* made swim with Blood, in order to the extirpating the Faith of the Gospel and destroying those who profest it. And therefore let me say, that the portion and Lot which hath betallen other Nations, through their folly in admitting persons of a *Papal Stamp* to Succeed

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ceed over them, should instruct *England* to prevent and obviate his ascent to the Throne, from whom we may justly expect to undergo the same mischiefs.

SECT. 3. For thirdly, no Antecedent Promises made by *Popish Princes* on their Assumption to Rule over *Protestant Countries*, have been any security to those who relied on them, or any confinement to such as made them. The Examples of the violation of all Faith are as numerous, as the Persons who have been admitted to Sovereignty upon such Stipulations. Every own knoweth that it was the Emperor's Transgressing against the promises which he had made to the *Bohemian's* concerning the liberty of their Religion, which occasioned that long bloody and fatal War. And as thereby all *Europe* came less or more to be concerned and entangled; So by the ill conduct of some, and Treachery of others, the *Protestant Religion*, after the shedding of an Ocean of Blood, is at last extirpated that Kingdom. Yea the present differences in *Hungary* between the Emperour and that People, are wholly to be resolved into a departure from the *Promises* which *Ferdinando* made to them for their preservation in the enjoyment of their Religion, when in *Anno 1618*. he was chosen to be their King. And notwithstanding the *Hungarians* have been at all times ready to submit to his Imperial Majesty, providing their Religion and Legal Rights might according to the first Contracts and Stipulations be secured unto them; yet in the midst of all his necessities he hath chosen rather to venture the ruine both of the Empire and his own Hereditary Countries by the *French*, than fulfil the *Promise* of his *Antecessors* or comply with so just Requests. Which plainly shews us that it must be a strange implacableness which *Papists* bear to

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our Religion, that neither regard to *Covenants* nor interest of State can induce them to moderation towards such as profess and maintain it: But what need we to consult Foreign Examples, seeing our own *Queen Mary* affords us a remarkable instance as to breach of Faith in this matter. Who as she was the only *Papist* who hath wielded the *English Scepter* since the Reformation, so she hath left us abundant warning how we admit others of that Impression and Stamp to ascend the Throne, be their *Promises* before hand what they will. For neither the finding the *Protestant Religion* legally established, nor the having pledged her own Faith for the *Preservation* of it according to the Establishment, were of any significancy to keep out *Popery*, or to secure *Protestants* from Fire and Faggot, when once she was possessed of the *Crown*.

Sect. 4. And therefore fourthly, Some Neighbouring Nations *Professing* the *Protestant Religion*, having found that by submitting to suffer a *Papist* to Reign over them, they had betrayed themselves to lose all that was dear unto them; took not only care to relieve themselves from the Violence and Treacherous Attempts of their Regnant *Popish King*; but made *Provision* to debar all of *Roman Principles*, from being capable for the future of pretending to the Throne. The case in brief stood thus, *Sigismund* the *Sweed* who had been before chosen King of *Poland*, was as next Heir to the Deceased King of *Sweedland* admitted to the Throne of that Kingdom, but upon previous conditions that he should not infringe their Liberty as to Religion, nor introduce *Popery* which they had Banished out of their Dominion. Now this *Prince* having contrary to all Stipulations endeavoured both to overthrow their Religion, and to break in upon their Civil

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vil Rights; The *Sweeds* like a generous People that would expose themselves to all hazards rather than give up their legal Rights, and Sacrifice their Consciences to the Will and Lust of their *Prince*, commenced a War against him under the Conduct of his Uncle *Charles*, whom they chose to be their Protector. In which War being at last Conquerours, they not only Deposed him, but made a Law that no *Papist* should at any time after be trusted with the Scepter. And how conduceable that Law hath been to their Preservation, all the World hath observed upon *Queen Christina's* resigning the Kingdom, having entertained a purpose of Renouncing her Religion. For as she knew that she could not declare her self a *Papist*, and at the same time remain their Queen; so they had too sadly experienced what it was to have *Popery* and Sovereignty meet in one Person, to suffer her to continue their Sovereign if she once abjured their Religion. Now I would gladly be informed, why the Parliament of *England* may not as well exclude a *Papist* from all capacity of mounting the Throne, to destroy this Nation and the Reformed Religion here, as the States and People of *Sweedland* have done there. Surely it is much better to be instructed by the Prudence of others after the foretast of manifold mischiefs which they had undergone, than when we have made our selves through folly and Credulity Subjects and Examples of misery, to think so provide for our own safety and Interest, and these of our Posterity by the hopes of an aftergaim.

Sect. 5. Fifthly supposing it were possible at an other juncture, to preserve our Religion under a *Popish Prince*, and that therefore it were not altogether unreasonable to admit one; yet at this Season when the whole *Papal Party*

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ty in *Europe* have Conspired to extirpate Protestanty in all the Schem's and Branches of it, it were no less than madness to think we could secure our Religion, were the Sovereign Authority over these Nations once lodged in a Papal hand. He must be very ignorant in the present State of things, who doth not know that there is a Design laid and carried on for the enslaving all *Europe* again to the Tripple Crown. And he must be al'o a very great stranger in the Affair's of the World, that doth not understand how far this Projection hath already succeeded, and that there is very little wanting to the full accomplishing of it. I am sure separate but once *England* from a hearty espousal of the Protestant Interest, and it must necessarily sink and, without a Miracle, be supplanted in all other places. And as we cannot imagine that should we have a Popish Prince in *England*, he would prevent the ruine of a Religion elsewhere which himself hath renounced; so we can as little think that he would support a Religion at home, that is both opposite to his own, and which had lost it's footing every where else. So that as matters stand, we should by admitting a Popish Prince to Succeed his Majesty, not only lose the Protestant Religion from our selves and our posterity, but through abandoning of that profession abroad, we should be a means of making all the World Vassals again to the Romish Yoke. And hence it is that the Eyes and Hopes of all protestants are upon the present parliament, and from the Councils of this great Assembly, they are ready to date their Happiness or Misery. How much they judge their whole interest and concernments to be wrapt up in our Consultations and Resolves, is evident from this, that since the meeting of this Assembly, they have in several Protestant Countries and Provinces abroad, observed Solemn days

days of Fasting and Prayer, to beg a blessing from the Lord upon it; and that there may be a happy correspondence between the King and his Parliament.

Sect. 6. Sixthly, should it be allowed as a thing (at least) credible, that there are some persons in the Papal Communion, who should they ascend the *English* Throne, we might nevertheless deposite with them and consign into their hands the preserving of our Laws and the Protestant Religion; yet we have little Reason to believe *James* Duke of *York* to be a person of that temper and moderation, that we ought in a matter of this consequence and importance to rely upon him. For though I could venture far upon the Moral Principles and good Nature of such a one as *Maximilian* was; yet I would be loth to abandon my life, fortune, and the liberty of my Worshipping God to such as *Charles* the Ninth of *France*, or *Philip* the Second of *Spain* were. And if I mistake not, the experience we have had of the Duke of *York* while only in a remote prospect of the Crown, may perfectly instruct us what we are to expect from him were he once possesst of it, and vested with the Purple Robe. He that while subject to the Law hath so industriously pursued the subversion of Protestanty, which is established and fenced by it; what would he not do? were he once so stated, as that according to a fundamental Maxim of our Law, he could do no wrong. If you take a view of his private Friends, during his being in the rank of a Subject, you may easily guess what his publick Ministers would be, were he once arrivd to the Quality of a King. There are few men of any Observation about the Town, but they have taken notice that both his Court at *St. James's*, and his Train in the Park used

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mostly to consist of those who had formerly washed their hands in the blood of Protestants, or who are the genuine Offspring of those that did. And how far we have reason to suppose he would be from overthrowing our Religion, and trampling upon our Laws, were his Temples once encircled with our Imperial Crown, we may in some degree learn from the arbitrary Counsels which he hath been observed to give, and the Plots against our Religion which he hath influenced, and (to speak modestly) hath given countenance unto.

Sect. 7. Seventhly, The Nation hath already so much provok'd him, that it will not be hereafter safe to advance him to a condition, and trust him with a power, whereby he may be enabled to revenge himself. The very endeavours of this Parliament, and the last, to disable him from inheriting the Imperial Crown, will be judged expiable by no less than the blood of those worthy Patriots who acquitted themselves so well in those two Houses. And therefore as they have engaged themselves beyond any possibility of a safe retreat, it were a base thing in those whom they represent, and whose welfare in all this they have been consulting, to abandon them to the revenge of an enraged and implacable Prince. It had argued great simplicity to have trusted him with the Government at any time since we had the first opportunity to know him, seeing a secret aversion for the *English* People hath betrayed it self in his whole carriage ever since his Majesties Return: but we should proclaim our selves perfectly frantick, after we have expressed our Remorsements for his ill behaviour towards our Laws and Religion, and thereby have more exasperated him, if we should trust our lives, fortunes, and consciences under his

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his power, and leave them to his mercy and discretion. If a gracious King, who could both command him and call him to an account, hath hardly been able from time to time to restrain his fury, what can be able to bridle him when he hath all under his power, and hath no man to controll him. Besides, how many *English* Protestants must be offered up, to atone for the deaths of the late *Tyburn* Martyrs? The blood of thousands will be accounted too little, to appease the angry Ghosts of those who have suffered by reason of this meritorious Plot.

Sect. 8. Eighthly, It were ridiculous to entertain any thoughts of discouraging the Papists from prosecuting their Conspiracies, while we leave them any hopes or expectations of the *Duke's* succeeding to the Government. For as so many of all qualities and conditions would never have embarkt in designs so hazardous to themselves and their posterity, unless they had been encouraged and supported by the hopes of the *Duke's* being the presumptive Heir; so they will never desist from pursuing the Plot wherein they are engaged for the enslaving of *England*, and the final subjugating the *Northern Heresie*, while there is any probability left them of his coming to the Throne. So long as they enjoy the least hope that it is possible for the *Duke of York* to succeed unto his Majesty, instead of being disheartned from following their trayterous undertakings, they will be animated to accelerate their Villanies, especially that of destroying the King. You may find that through the interruption of this affair, during the late interval between this and the last Parliament, how that instead of being dismayd by the detection of their Crimes, they have

have been enflam'd to carry on their Plots with more Zeal and Vigour than ever. Moreover as the disabling the *Duke*, to Inherit the *Imperial Crown* of this *Realm*, is the only rational *medium* to hinder the continuation and pursuit of the Plot, so it will be the most effectual inducement to prevail with Persons to come in and make a further detection of it. For can we reasonably conceive that they who have cooperate in it, should venture by discovering to save us; when they must needs know that their reward may in a short time, amount to their being hanged themselves for their Service, 'Tis indeed a wonder, that in the prospect of Death, and Torment which such persons must necessarily foresee themselves adjudged unto, should a *Papist* once mount the Throne, how so many have already exposed themselves to lay open this Conspiracy against our Religion and Government. Whereas were the *Duke* made once incapable of arriving at the Sovereignty over this Nation, there are many more who seeing themselves put into a condition of safety for the future as well as for the present, would undoubtedly without the prospect of any reward, offer themselves to be Instruments of further detecting, and thereby disappointing this whole Hellish Conspiracy.

Sect. 9. Ninthly, There is nothing in this Bill of Exclusion, but what is consonant unto, and justified by that which is the Supream and Ultimate end of all Government, For no Government was either designed by God, or ever erected by Men, but in order to self-preservation. All Humane Laws whether they relate to the kinds of Government, or the ways in which persons shall Succeed unto it, they suppose an Antecedent Right in Men of protecting their Lives and Liberties, and preserving

ving to themselves a freedom of judging how they ought to serve and worship their Creator and Maker; and the design of all Humane Laws is to secure those Antecedent and Natural Rights. No persons ever Congregated or Coalesc'd into Societies, but with an intent to live more safely and better, than if they should continue separated and alone. Nor did ever any condescend on this or that mode and form of Government, but with a prospect and upon a supposal, that the Priviledges, Rights and Liberties of Men should be preserved unto them. And therefore as all Government is founded in Trust and settled in such a *person* or limited to such a *Family*, for the safety and advantage of the people as well as of the Ruler; so there can be supposed no primitive Agreements in reference to such and such links of Succession, where the ruine of the people is unavoidable without a break in the Chain. If an Idiot may be justly put by from Succeeding in the Royal line, because he is incapable of understanding the interest of his people, or protecting them in their Rights; much more may one who hath designed and resolved to destroy them, and overthrow every thing for which Kingship was both erected and submitted unto; be debarred all Plea and Title to inherit. For to what purpose serve Laws betwixt King and People, but to instruct us not only concerning the Fealty and Obedience which we are to pay to our Prince, but what we may claim and expect from him that is to be advanced to that Grandure and Dignity, Yea were there any Laws for the Establishment of a Mortal Enemy over us, on this alone supposal that he were of next affinity to the foregoing and lawful Prince, such Laws were revocable and ought to be repealed as inconsistent with the safety and happiness of Subjects. For though our Ancestors might
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restrain and limit us in the usage of those things which we derive from them; yet they could not restrain and limit us in such things which we have a right unto by the Law of Nature. That is (and blessed be God they never attempted it) they could not deprive us of, nor abdicate from us, a right to protect and defend our selves from our declared Adversary. So that if the people of *England* be but acknowledged to have a right to preserve their Lives, maintain their Proprieties, or secure their *Religion*; it is lawful for them to disable the Duke of *York* to Inherit the *Imperial Crown* of this *Realm*, as having already not only rendred himself unsafe to the Nation in all these, but Proclamed by his Actions that he is an open Enemy to every one of them.

Sect. 10. Tenthly; It is remarkable that there was never a conveyance of the Crown of *England* to any person, but upon the tacite concurrence and with the virtual or implicite consent of the people. And indeed though a people may be made Slaves without their Consent, yet it is impossible that they should be free Subjects but with it. And therefore anciently before any King of *England* was actually Crowned, the people, being first acquainted with the day appointed for that Solemnity, were three several times publickly ask'd, whether they would have such a person to Rule over them. And till the consent of the people was thus obtained and declared, they who held in Fee of the King, together with the Nobility, were not obliged, neither were they called to do Homage to him. And though these kind of Tenures be since abolished by Act of Parliament, yet it plainly shews that heretofore the Nation had a great interest in recognizing the Right of their King. Now the people

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ple of *England* are no where so Universally present, as when Represented in Parliament by those whom they have chosen and delegated to act in their Places and Names, as well as for their interests. And therefore what is the Language of the *House of Commons*, is the unanimous Voice of all the People of *England*. Yea were the several Individuals of the Nation to be demanded their Opinion, they would harmoniously resound the Vote of that House, namely that they will not have *James Duke of York* to *Reign over them*,

Sect. 11. Eleventhly, The Parliament of *England* have from time to time so disposed of the *Crown* of *this Realm*, as both to settle and limite the *Succession* in referrence to the *English Throne*. It was a Parliament that Deposed *Richard* the 2d, and chose *Henry* the 4th. to *Reign in his stead*. It was a Parliament which limited the *Crown* to *Henry* the 6th. only for his Life with an exclusion of his Posterity from all Title to it, and settled the *Succession* upon *Richard Duke of York*. And it is observable that they who afterwards took part with the said *Henry* the 5th. and fought by his Authority, as well as under his Banner at the Battel of *wakefield*, where *Richard Duke of York* was killed; were in the 1st. of *Edward* the 4th. attainted of Treason because they fought against and slew a person who was by Act of Parliament declared *Heir* after *Henry* to the *Crown*. It was a Parliament who chose and advanced *Richard* the 3d; though *Edward* the 4th had not only left behind him a Brothers Son whole Title was *Prior* to *Richards*, but two Sons of his own. It was the Parliament that entailed the *Crown* in *Henry* the 4th's time; and settled the Inheritance of the *Realms* of *England* and *France*, &c. Upon his Sons by
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Name, and upon all of them successively, in case *He* or *They* upon whom the settlement was first made, should die without Heirs? Yea our Parliaments during the Reign of *Henry* the 8th. made a threefold Settlement and Entail of the *Crown*, and that with such various *Limitations* and *Provisions*, as they thought the interest of the Kingdom conducted them unto. These three Entails were made and enacted the 25th of *Henry* the 8th the 28th of *Henry* the 8th. and the 35th of *Henry* the 8th. But to omit more Instances, it was the Parliament that having by Statute Recognised *Queen Elizabeths* Title to the *Crown* in the first Year of her Reign, afterwards Entailed it upon her and the Heirs of her Body in case she should come to have any, in the 13th of her Reign. Now it is very remarkable that in diverse of these Entails and Settlements, our Parliaments proceeded without any regard to Legitimacy, their sole will and pleasure, under the Influence which the interest of the Kingdom had upon them, being both the best motive into which we can resolve diverse of those Settlements, and the only Standard according to which we must account for the Limitations contained in some of those Entails. And can we be so silly as to believe that the most Magnanimous and Victorious Princes that ever Reigned over this Nation, would have suffered Parliaments to interpose about the Succession and meddle in the disposal of it, if it had not appertained unto them by the constitution of the Kingdom and the ancient Usages thereof. Surely bequeathment of the Inheritance of the *Crown* by the Regnant Prince, would have better become the Prerogative of our Kings, if they had not believed that it belonged to the Parliament in conjunction and Cooperation with their Kings to dispose and to settle that matter.

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Sect. 12. Twelfthly, Nor hath the supreme Court of Parliament in their interposure about the disposal of the *Crown* of this Realm, confined themselves to nearness and proximity of Blood, as if it had been to descend without interruption, or be conveyed to the next in the Royal Line. And therefore whosoever consults our Laws and Histories, they will find that our Parliaments in their choice and designation of Princes to ascend the Throne, have often diverted from the next of Kin, and regulated themselves in their Election and Appointments by the alone Measures of Publick Good, and the safety and happiness of the Kingdom. And to begin with *William* the Conquerour, that *Norman* Prince had no right but from the Peoples Election of him. For whereas he pretended to derive a Title to the *Crown* of *England*, from the Will and Testament of *Edward* the Confessor, that very *Edward* had no hereditary right himself. However by the peoples advancing *William* the *Norman* to the Throne of this Realm, *Edgar Etheling* the nearest Prince to the *Crown*, if respect had been shewn to Blood, was excluded and shut out. And no sooner was *William* the Conquerour dead, but *William Rufus* was preferred before *Robert*, who being his eldest Brother would otherwise have had the better right. Yea upon the decease of *Rufus*, *Robert* was again put by (though upon an Agreement between them two he had been promised the *Crown* in Reversion after him) and *Henry* the First was advanced in his room. And if we proceed a little farther, we shall find that King *John* was advanced before his eldest Brothers Son, who must needs have had the best right, if nearness of Blood had obtained and taken place. And to pass by other Examples, it is easie to determine

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whether any regard was had to the next of Kin, when *Richard* the Third was preferred before the two Sons of *Edward* the Fourth.

Sect. 13. Lastly, The Bill depending before the Parliament about disabling the *Duke* of *York* to inherit the Imperial Crown of *England*, is not introductive of a new Law, but corroborative and explanatory of those which we have already. And indeed all the Laws which we are provided of against Popery, are not only weak defenses to withstand the irruption of it; but in themselves null and void, unless we admit that there is this intended in them, that no Popish Prince shall ever be allowed to Reign in *England*. And this being of some consequence to be known, I shall therefore insit somewhat the more largely upon it. Every one knows that there is a vast difference between a persons right to an Estate, and persons remote Title only to Govern. For an Estate is a mans Property, whereas the advancing one to Rule over a Nation, is but the recognizing of a Right originally inclusive of a Trust. And therefore if our Laws have made Papists to forfeit their Estates, or any part of them, for meer Recusancy: We may very rationally suppose that they intended that every Popish Recusant should forfeit and be incapable of all Regal Authority, seeing that is but a Trust limited to such a Family, in order to the preserving us in our due Rights. Now that our Laws have made Papists liable to forfeit all their Goods and two Thirds of their real Estates, notwithstanding all Title either by Birthright or Purchase which they may have in them, is evident and beyond all contradiction to whosoever reads the Statute of the 29. of *Eliz.* cap. 6. and the Statute of the 3. of *James*, cap. 4. Besides

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Besides our Laws provide that no Recusant Convict shall be a publick Officer, or shall exercise any publick Office or Charge in the Commonwealth, but that every Recusant shall be utterly disabled to exercise the same by himself or by his Deputy. Stat. 3. of *Jam.* cap. 4. Yea that they shall be disabled in Law to receive, take, or have any Office, Ministry, or Service in this Realm. Stat. 1. of *Eliz.* cap. 1. And can it after all this be thought, that they who Enacted those Laws, intended that it should be lawful for a Popish Prince to ascend the Throne, and be trusted with the exercise of Sovereign Rule over us?

Moreover our Laws have ordained and declared, That every Papist who is convicted, shall be disabled to be an Executor, Administrator, or to have the Custody of any Child, as Guardian, and that if any Wards be granted to such, they shall be utterly void, and of none effect. Stat. 3. of *James* cap. 4. And can we then suppose, that they who enacted that Law, ever thought, or intended that a Papist should be capable of having the Guardianship of the whole Nation. Our Parliaments have provided both by a Statute of the 13. *Eliz.* cap. 2. and by one of the 23. of *Eliz.* cap. 1. and by another of the 3. of *James* cap. 4. That it shall be Treason to be reconciled to the Church of *Rome*. Now as those Laws are wholly insignificant, as to ends for which they were made, if a Papist be left still capable of inheriting the Crown; so I cannot therefore but think, that they do in effect exclude all such who suffer themselves to be seduced to Popery; and who thereupon are brought to acknowledge a forraign Jurisdiction, from all Right, Claim and Title to the Throne of this Realm. It is also provided by a Statute of the 5. of *Eliz.* cap. 1. That it shall be Treason, by Deed, or Act, &c. to hold, or stand with, extoll, maintain, or defend

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defend the Authority, Jurisdiction, or Power of the Bishop of Rome, or his See. Now what doth this Law amount unto, or of what use is it to the preserving the established Religion? If he that both doth all this, and also glories in it, be held still capable of mounting the Throne. Again the Statute of the 3d of James which appointeth and injoyneth the Oath of Allegiance, doth in reality and in the drift and Scope of it, debar a Papist from being admitted to Reign in England. For as the Design of that Oath was to extirpate Popery, so that is impossible to be compassed, should we be liable to admit a Popish Successor. Nor can there be any thing more silly and ridiculous to be required of us, than that we should swear Allegiance to a Papist in opposition to Popery. And not to pursue this point any further, the Statute of the 1st of Eliz. Concerning the Oath of Supremacy, can no ways be adusted to Principles of Reason and Wisdom, if notwithstanding any thing contained in that Law, a Popish Recusant remains in a condition to inherit the Imperial Crown of this Realm. In a word that and all other Statutes made against Popery, serve only to reduce us into a worse condition than ever we were, if this do not run thorough and enliven them with sense as well as vertue, namely that no Papist can have right, or is ever to be suffered to Reign over this Nation.

SIR, You see with what Freedom, I have represened my thoughts unto you in relation to the Bill for Disabling James Duke of YORK, to Inherit the imperial Crown of this Realm. And indeed it is a Bill of vast importance, not only to our selves and posterity, but to all of other Nations who have forsaken the Fellowship of the Papal Church. I could have not only enlarged upon the
several

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several heads, but have reasoned from more Topicks: But I think there is enough already said for one Letter, and shall therefore reserve the rest, till I receive your Advice whether it be necessary to say any more, or whether you dare trust the farther manage of it in so weak and mean a Hand.

And shall only add that our Church-Men are like to be strangely entangled, should the Bill once pass into an Act. For if they omit to Pray for the Illustrious Prince James Duke of York, they will be thought to offend against the Obligations they are under of reading the whole Liturgy; and should they continue to pray for him in the wonted form, they may perhaps not only meet with some affront from the angry and incenced Multitude, but be judged by wiser Heads, to bespeak a publick Calamity at the hands of God, and entreat him to inflict the worst of Judgments upon the Nation. I am.

Sir,

Lond. Nov. 8:
1678.

Your most affectionate

and willing Servant.

FINIS. 89.

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