PHILANGLUS;

Som ſober Inſpections

Made into the

CARIAGE and CONSULTS

Of the *Late-long Parlement*,

Whereby occaſion is taken to ſpeak of PARLEMENTS in former Times, *&c.*

With ſom Reflexes upon Government in general.

The third Edition with a Supplement of divers ſignall paſſages which the other two had not.

Cupio, ut rectè capiar.

London, Printed by *E. C.* for *H. S.* over againſt *Dunſtans* Church in *Fleet-ſtreet*, 1658.

To His Highnes
THE
Lord *PROTECTOR!*

My LORD,

AMong the multitude of mighty *Achievments* which your Highness hath performed (so much to the astonishment of Mankind) the *Dissolving* of the late-*long* Parlement may well deserve to be rank'd in the number; For thereby your *Highness Hercules*-like, may be said to have quell'd a Monster with many heads; such a Monster that was like to gourmandize, and devour

all the three Nations, as will appeer in the ensuing Discours, which though small in bulk, yet the subject-matter is of the greatest concernment, otherwise I had not ventur'd on so high a *Dedication*, for it treats of the true power and practise of *English* Parlements in former times, with the first Rise of the *House of Commons*, and of *Magna Charta*, *&c.* which will be found to have had but *hard* births.

There was matter enough to have compil'd a far greater volume, but I have woun'd it upon a small bottom, in regard that besides my natural hatred to *superfluities* and circumlocutions, I would not be so unmannerly as

as to hold your Highness too long, who must needs have such a world of high businesses perpetually in your thoughts. One thing I humbly promise your Highness, that the quotations here produc'd (whereof there are many) are all true, and extracted out of Authentic Records, but what consequences soever are drawn from them, the *Judgment* is left to your Highness *En dernier ressort.*

There is a memorable saying of *Charles Martell* in that mighty Revolution in *France*, when he introduc'd the second race of Kings, That in the poursuit of all his actions, he used to say, That *He followed not the Ambi-*

 tion

tion of his Heart, as much as the Inspirations of his Soul, and the designs of Providence; This may be applyed to your Highness in the conduct of your great affairs, and admirable successes.

So craving pardon for this high presumption, and the boldnes *of the* Subject, *for which I humbly beg your* protection, *I rest in the lowliest posture of obedience*

At your Highness commands

J. H.

TO

TO THE

Knowing READER,

Touching

The *Method* of this Discours.

THere are various wayes for the conveyance of knowledg to the understanding, and to distill it by degrees into the cells of human brain; It may be done either by a downright Narration, *and* continued Discours; *Or by* Allegories, Emblems, *and* Parables; *Or by way of* Dialog, Interlocutions, *and* Conference; *The first, is the* easiest, *and most* usual *way; The second is the most* Ingenious *and* difficult; *The last is the most* familiar

familiar *and* satisfactory; *When one doth not only inform, but remove, and answer such emergent objections and quæries that may intervene all along in the poursuit of the matter.*

It is the mode, and method of this Tretise, which, discoursing of the affairs of England, *proceeds by way of* Colloquy *'twixt* Philanglus *and* Polyander: *The first a good Patriot, and great lover of the* English; *The other a person who had seen much of the world abroad, and studyed* men, *as both their names do intimate.*

Conveniunt *Rebus Nomina* sæpe suis.

J. H.

The variety of *Simples* that go to make up this small *Compound.*

THE advantage of Dialogue discours in the Preface.

A barbarous thing to open Letters, and worse then Burglary.

Of Governments, whereof Monarchy is best, and next resembling that of Heaven.

Aristotle *inconstant to himself where he writes of Governments, and full of contradiction as well as confusion, with an Apology for him in that point.*

The policy of France *is to keep the peeple poor, and why.*

Of Stratocracy, or Governing by an Army.

The long Parlement seizeth upon the Kings Sword and Scepter, viz. *the Militia, and Legislative power.*

The manner of French *Parlements, or Assembly of the three Estates, as also of* Scots *Parlements, and* Irish.

The Originall Writ, and primitive institution of English *Parlements.*

The King and his Peers alone is properly the great Councell of the land, to which purpose divers Records and Instances are produc'd.

The Commoners were never Co-councellors with the Peers, but call'd only ad consentiendum, *and the Peers* ad consulendum, *whereof sundry authentic examples are urg'd.*

The King cannot be compell'd, but directed only.

In

In former Ages the Kings of England *us'd to govern by their privy Councell only, and in extraordinary cases by a Parlement of Peers, among whom they summon'd whom they pleas'd.*

Sir Walter Raleigh *saith that the House of Commons, and* Magna Charta, *had but obscure or rather forced births, being sprung from Usurpers.*

The K. of Eng. *us'd to impose public taxes by their privy Councel alone, wherof examples are produc'd.*

The modesty of the House of Commons in former times not to meddle with high matters of State specially forren, or of Peace and Warr, whereof sundry instances are urg'd.

Of the true duty of a Lower House-man.

A Solœcism in the English *Government, that in the House of Commons the Burgesses are more in number then the Knights of Shires, and the reasons why.*

Corporations incompatible with Monarchy, wherby occasion is taken to speak of the City of London.

The Legislative and supreme power is solely in the King, the consultative in the Peers, with reasons and divers examples why.

Sundry Records how the King and his privy Councel us'd to determin the highest causes.

Mighty errors committed by Parlements, whereof divers instances old and new are produc'd.

The freedom from Arrests the only priviledge of the Commons House according to Sir Edward Coke.

The long Parlement the greatest Idol that ever was.

The first Petition that ever was presented to the House of Commons was but in Henry *the sevenths time.*

Divers examples how the House of Commons was curb'd in Queen Elizabeths *time, and their members imprison'd.*

There can be no mixt Committee of Lords and Commons without the Kings permission.

Subsidies rais'd before ever there was a House of Commons.

Of the Scots, *how they were the first Incendiaries and authors of all the late revolutions in the three Kingdoms.*

The union with Scotland *rather a disadvantage to* England *then a benefit.*

Of the expedition to Berwick, *and the dishonorable pacification made with the* Scots.

Of the Ship-money, and what reasons the King had to think it legall. Of the short Parlement.

Of the long-liv'd Parlement.

Of the popular insolencies, and base affronts which the long Parlement conniv'd at.

Of the Earl of Strafford, *his parts and his imperfections.*

The Parlement cause the King to break his word with the Spaniard, *and his Oath unto his people.*

The Crown and Scepter but bables without the Sword, &c.

The keeping the King out of Hull, *and the interdiction of Trade to* Newcastle, *the first beginning of the late civil Warrs.*

The King was denyed the ordinary benefit of the Law against the five members.

The Prince like to be surpriz'd.

The Presbyterians the chief firebrands of all the late confusions, &c.

Di-

The

FINIS.

Some Inspections made into the Carriage and Consults of the late long PARLEMENT, *&c.*

In a Colloquy 'twixt *Philanglus* and *Polyander.*

Philanglus.

Gentle Sir,

HOw glad am I to see you so well return'd to *England* after so long a separation, having breath'd air under so many differing Climes, convers'd with Nations of so many differing complexions, and made so many hazardous voyages and itinerations both by land and Seas, as I understand you have.

Polyander.

'Tis true, there is a kinde of hazard that hovers over our heads wheresoever we pass in this transitory incertain world, the *Morning cannot presage what the evening may produce*, some odd thing may happen 'twixt the cup and the lip; but the danger of forrein travel, or *peregrination*, is nothing so great as 'tis commonly apprehended; one may travel through all *Europe* with as much security and accommodation as in any part of *England*; one may goe from *Calis* to *Constantinople*, as safely as from *Bristol* to *Berwick*; one may passe from *Vienna* to *Venice*, from *Paris* to *Prague*, from *Madrid* to *Magdenburgh*, as securely as from *London* to *Lancaster*, or from Saint *Davids head* to *Dover*; 'Tis true, that before *Negotiation* and *Commerce* made mankind more communicable, it was an uncouth thing to travel, or make removes far from home; In this Island, not an age since, if one were to make a journey from *Wales* to *London*, much more from *London* to *France*, it was usual for him to make his last Will; but now the world growing still more populous, and people more sociable by *mutual traffique*, and *knowledge of languages*, the case is altered; In my whole ten years travel, I thank my Creator, I never rancountered any

any danger or difficulty, but I might have met with the like in *England*; For if one observes these three small Imperatifs, *Audi*, *cerne*, *tace*, hear, see, and be silent, he need no other passeport to travel ore the world; But dear Sir, now that I am return'd to breath *English* air again, I hold it one of the best welcomes to finde *you* so well after so long an absence, and I embrace you with both my arms, giving you a thousand thanks for the fair respects, and *litteral* correspondence you kept with me while I wandered abroad, for it was my greatest comfort.

Philanglus.

Sir, you teach me what I should say to *you* in this point, but truly you should have had a more frequent account of matters here, but that of late years it hath been usual to intercept and break up *letters*, which is a baser kinde of *burglary* then to break into ones *house* or *chamber*; for this may be a plundering only of some outward pelf, or baggage of fortune, but he who breaks open ones *Letters*, which are the Ideas of the minde (as is spoken elsewhere) may be said to rifle the very brain, and rob one of his most precious thoughts, and secret'st possessions: But Sir, now that I have the happinesse to re-enjoy

 you,

you, what do they ſay abroad of theſe late revolutions in *England*?

Polyander.

They ſay that the *Engliſh* are a ſturdy, terrible and ſtout people, that the power and wealth of this Iſland was never diſcovered ſo much before both by Land and Sea, that the true ſtroke of governing this Nation was never hit upon till now; *Politicians* new and old have beaten their brains, and ſhot at rovers in writing of divers ſorts of Governments; but the wiſeſt of them concur in this opinion, that there is no Government more reſembling Heaven, and more durable upon Earth, or that hath any certain principles, but *Monarchy*, and ſuch a Monarchy that hath an actual viſible Military ſtrength to ſupport it ſelf, and not only to *protect*, but to *awe* the people. *Ariſtotle* in his Politicks ſpeaks of ſundry ſpecies of Governments, he writes of *Monarchy*, *Ariſtocracy*, *Democracy*, *Oligarchy*, and *Stratocracy*, (as the *Greek* tongue hath a faculty above all others in compounding names for things;) but he is irreſolut to determin what *Ariſtocracies* are truly perfect, he hath only this one poſitive aſſertion, that Ariſtocracy *allowes no Artificer to be a Citizen or Councellor*; Much of his diſcourſe is

is of the firſt Founders of Common-wealths, as *Phaleas* of the *Chalcedonian*, *Hippodamas* of the *Mileſian*, *Lycurgus* of the *Lacedemonian*, *Minos* of the *Cretan*, and *Solon* of the *Athenian*; then he proceeds to correct the errors of Common-wealths befor he tels us what a *Common-wealth* is, which is (under favour) an irregularity in method: In his firſt book he ſpeaks only of the parts of a City, or Common-weal, but he tels us not what they are till he comes to his *third* Book, where in handling the kindes of Government in general, he flies backward and forward in a diſorderly way; but when he comes to treat of particular forms, he is full of contradiction and confuſion; in ſome places he ſeems to deny any natural right and publick intereſt, (much more any *underived Majeſty*) in the *people*, whom he ſaith to *be little inferiour to beaſts*; whereas elſewhere he affordeth a liberty to every City, to ſet up either by force or cunning what Government they pleaſe, which in effect is to allow men to doe what they liſt *if they be able*: But at laſt he confeſſes that after *Kings* were given over in *Greece*, Common-wealths were made of *Them* who *waged war*, and that all power was ſumm'd up in the Govern-

 ment

ment of an *Army*, which is pure *Stratocracy*, or Military Government.

Philanglus.

We cannot blame this great Philosopher to rove herein up and down, it being impossible for any humane brain to prescribe any certain and infallible universal rules of Government that may quadrat with the nature of all climes, and be applicable to the humours of all people; All other *Arts and Sciences* have *apodictical*, and undenyable *principles*, but the *Art of Gouernment* hath no such Maximes; the reason is the various dispositions of peeple, and a thousand sorts of contingencies that attend worldly affairs; It is, you better know then I, one of the main principles of policy in *France* to keep the *peasan* (which is the grosse of the people) still indigent and poor, because they are of such a volatil instable nature that if they were rich and fed high, *wealth* and *wantonesse* would make them ever and anon to be kicking against Government, and crying out for a change, whereas this principle of policy is held to be a paradox in *Spain*, and other Countreys. Some Nations are so fiery mouth'd, that they must be rid with a *Bit*, if not a *Martinghal*, but a *Snaffle* will serve others: nor are the same

same laws fit for the *Continent*, that are proper for an *Island*, nor those of a *Maritim Continent* fit for a *Mediterranean* Countrey.

Polyander.

I concur with you there is no Art so difficult, and fuller of incertainties, as *Hominem homini imperare*, as the *art for man to govern man*, which made one of the deepest *Statesmen* these modern times afforded to confess, that though he had served so many *Apprentiships*, and been a *Journeyman* so long in this *Art*, and reputed a *Master*, yet he found himself still a *Novice* therin; For State affairs, as all sublunary things, are subject to alteration, the *wisdome* of one day may be the *foolishnesse* of another, and the week following may be Schoolmistresse to the week before in point of *experience*, which is the great Looking-glasse of Wisdome, and Policy.

Therefore whereas *Aristotle* useth to be constant to himself in all other Sciences while he displayes the operations and works of Nature, when he comes to treat of *humane government*, he is not only often at a losse, and inconstant to himself, but he involves both himself and the Reader in ambiguities,

Philanglus.

I am of opinion that there is in policy but one true Universal Maxime, which is, as you said before, to *have alwayes a standing visible effectif power in being*, as well to *preserve*, as to *curb* a people; and it is very fitting they should pay for their protection, it being a Rule all the world over, and grounded upon good reason, *Defend me, and spend me.*

Polyander.

It is so indeed every where; how willing is our confederat the *Hollander*, so he be protected in his trade, to part with any thing, to pay tolls for what he hath either for back or belly; he is content to pay for all beasts sold in the Market the twelfth part for *Excise*, six shillings upon every Tun of Beer, two stivers a week for every milch Cow, six pence upon every bushel of Wheat, and so upon all other commodities: The States of *Italy* do more, in *Florence*, and the Republick of *Venice*, (which hath continued longest, and with least change in point of Government of any Country upon earth) ther's not a grain of Corn, not a glasseful of Wine, not a drop of Oyl, together with Egges, Birds, Beasts, Fish, Fowl, yea Grasse, Salt, and Sallets, but pay a *gabell* for the common defence, nay

nay the *Courtisans* cannot make use of their *own*, but they must contribute to maintain twelve Gallies.

But Sir, now that I have been absent so long, I pray be pleased to tell me something of the proceedings of the late *long* Parlement, and of this mighty revolution; for I find such a kind of *metamorphosis*, or *transposition* of all things in point of Government, that *England* may be said to be but the *Anagram* of what she was.

Philanglus.

There is a *periodical* Fate, that hangs over all Governments, but this of *England* may be said to have come to its *Tropique*, to a posture of turning; The people extreamly *long'd* for a Parlement, and they had a *long* Parlement, for it lasted longer then all the Parlements that ever were in *England* since the first institution of Parlements, put them all together; there was never such an *Idol* upon earth as that Parlement, for peeple thought there was an inerring spirit tyed to the Speakers chair, they pinn'd their salvation upon it, it was held blasphemy, and a sin against the holy Ghost to speak against it, nay some preach'd that that blessed Parlement was as necessary for our *Reformation*, *as the coming of Christ was for our Redemption*; such a sottish kind of infatuation

infatuation had feiz'd upon ſome kind of peeple.

Polyander.

But what did that Parlement do tending to the publick Reformation?

Philanglus.

What did they *doe*? They were like to *undoe* all things, had they ſate longer, which they had done till domeſday, had they been let alone, and their Poſteriors had never aked; 'Tis true, they were ſomewhat modeſt at firſt, but by the lenity of a credulous eaſie King, they did afterwards monſtrous things. They aſſumed to themſelves all the Regalia's of the Crown, they ſeiz'd upon Sword, Great Seal, and Soveraignty, upon the Militia, and all the Marks of Majeſty, nay they did arrogate to themſelves the *Legiſlative* and Supreme power, *&c.*

Polyander.

But doth not the *Supreme Power* reſide in the *Engliſh* Parlement, which is an Epitome and Repreſentative of the whole Nation?

Philanglus.

I will not reſolve you in that, till I acquaint you with the pedigree, and primitive inſtitution of Parlement, which I will endeavour to doe as ſuccinctly as I can, but in regard that our Parlement was erected

erected at firſt in imitation of the Aſſembly of the three Eſtates in *France*, in which Government you are ſo wel vers'd, I pray do me the favour as give me a touch of the mode of *France* in thoſe public Aſſemblies, and then I ſhall apply my ſelf to ſatisfie you touching *Engliſh*, *Iriſh*, and *Scots* Parlements, having in ſome meaſure ſtudied the caſe.

Polyander.

In *France* the Kings Writ goeth to the Bayliffs, Seneſchals or Stewards of liberties, who iſſue out warrants to all ſuch as have fees and lands within their Liberties, as alſo to all Towns, requiring all ſuch as have any complaints, to meet in the principall City, there to chooſe Delegates in the name of the Province to be preſent at the *generall Aſſembly*. Being met at the principal City of the Bayliwick, the Kings Writ is read, and ſo the Delegates are elected and ſworn; Then they conſult what is to be complained of, and fit to be propoſed to the King, whereof there is an Index or Catalogue made, which is delivered to the Delegates to carry to the General Aſſembly; All the Bayliwicks are divided to twelve Claſſes; but to avoid confuſion, and to the end there may not be too great a delay in the Aſſembly by gathering of

of the voyces or suffrages, every Classis compiles a Brief, or Book of the grievances and demands of all the Bayliwicks within that Classis, then these Classis at the Assembly compose one general Book of the grievances and demands of the whole Kingdome. This being the order of the proceeding of the Comminalty or *third Estate*, the like order is observed by the *Clergy* and *Nobility*: so when the three books or *Cahiers* (as they call them) for the three Estates are perfected, then they present them to the King by their Presidents in the open great Assembly.

The first who presents the *Cahiers* is the President of the *Clergy*, who begins his Harang or Oration on his knees, but at the Kings command he stands up, & so proceeds bare-headed; The President for the *Nobility* speaks next in the like manner; But the President for the *Commons* begins and ends his Oration on his knees: whilst the President of the Clergy speaks, the rest of that order rise up and stand bare, till they are bid by the King to sit down, and be covered; and so the like for the *Nobility*; but whilst the President for the Comminalty speaks, the rest are neither bid to sit, or to be covered. The grievances and demands being thus all delivered at once, and left to the King and his

Privy

Privy Councel without further debate or expence of time, the *General Assembly* of the three Estates endeth, expecting afterwards such a redresse to their grievances, as the King and his Councel shall think fit.

Philanglus.

These proceedings of *France* are not much unlike the ancient usage of this Kingdome for many ages, when all Laws were nothing else but the Kings answers to the Petitions presented to him, and his Councel, as is apparent by many old Statutes, and the confession of Sir *Edward Coke*; And now to acquit my self of my former engagement unto you, I will impart unto you the manner and power of the Parlements of *Great Britain* and *Ireland*; I confesse 'tis more properly the businesse of a *Lawyer*, which I am none, otherwise then what nature hath made me; so, every man is a *Lawyer*, and a *Logitian* also (who was the first Lawyer) as he is born the child of *reson*, for Law and Logic are meerly founded upon reason; This discoursive faculty of Reson comes with us into the world accompanied with certain general notions, and natural principles, to distinguish right from wrong, and falsehood from truth.

But

But before I come to the *English* Parlement, a word or two of the Parlements of *Scotland*, and *Ireland*.

In *Scotland* about three weeks before the Parlement begins, Proclamation is made throughout the Kingdome, to deliver unto the Kings Clerk or Master of the Rols, all bils to be exhibited that Sessions, then are they brought to the King, and perused by him; and only such as he allows are put in the Chancelors hand to be proponed in Parlement, and no others; and if any man in Parlement speak of any other matter then is formerly allowed by the King, the Chancelor tels him there is no such bill allowed by the King; When they have passed them for laws, they are presented to the King, who with the Scepter, put into his hand by the Chancelor, ratifies them; but if there be any thing the King mislikes they raze it out before.

The Parlement in *Ireland* is after this manner. No Parlement is to be held but at such a season as the Kings Deputy there doth certifie the King under the Great Seal of the Land of the causes, considerations and necessity of a Parlement; The causes being approved of by the King, a Licence is sent under the broad Seal of *England*

England to summon a Parlement in *Ireland*, provided that all such bils that shall be proposed there in Parliament be first transmitted hither under the great Seal of that Kingdome, and having received allowance and approbation here, they shall be put under the Great Seal of this Kingdome, and so return'd thither to be passed in that Parlement; this was called *Poinings Act* in the time of King *Philip* and *Mary*.

Having thus given a concise account of the usage of Parlement in our neighbour Kingdoms, I will now passe to that of *England*.

Every *Freeholder* who hath a voyce in the election of Knights, Citizens, and Burgesses to sit in Parlement, ought to know well, and consider with what power he trusts those whom he chooseth, in regard the power of the House of Commons is derived from that trust: Now *that* which gives authority for the *Freeholders* to make their election, is the *Kings Writ* directed to the Sherif of the County, in which is expressed not only the Sheriffs duty in point of summoning, but the Writ contains also the duty and power of such Knights, and Burgesses that shall be elected; therefore to know

know the full extent of the power of Parlement, you must have an eye, and observe well the words of the Writ, for the *Freeholders* cannot transfer a greater power then is compriz'd in the Writ to those that they appoint their servants in Parlement. The Writ being us'd to be in *Latin*, few Freeholders, God wot, understood it, or knew what they did; I will faithfully render the said Writ to you in *English*.

The King to the Vicount or Sherif Greeting.

WHereas by the advice, and assent of our Councel, for certain arduous and urgent affairs concerning us, the State, and defence of our Kingdom of England, *and the* Anglican *Church; We have ordain'd a certain Parlement of ours to be held at our City of the day of next ensuing, and there to have conference, and to treat with the Prelats, Great men, and Peers of our said Kingdom; We command and strictly enjoyn you, that making Proclamation at the next County Court after the receit of this our Writ, to be holden the day, and place aforesaid; you cause two Knights girt with swords the most fit, and discreet of the County aforesaid, and*

and of every City of that County two Citizens; of every bourough two Burgesses, of the discreeter, and most sufficient, to be freely and indifferently chosen by them who shall be present at such Proclamation, according to the tenor of the Statuts in that case made, and provided; And the names of the said Knights, Citizens and Burgesses so chosen to be inserted in certain Indentures to be then made between you and those that shall be present at such election, whether the parties so elected be present, or absent, and shall make them to come at the said day and place, so that the said Knights for themselfs, and for the County aforesaid, and the Citizens and the Bourgesses for themselfes, and the Comminalty of the said Cities, and Bourroughs may have severally from them full and sufficient power to do, and to consent *to those things which then by the favour of God shall there happen to be ordain'd by the Common Councel of our said Kingdome concerning the businesse aforesaid so that the businesse may not by any means remain undone for want of such power, or by reson of the improvident election of the aforesaid Knights, Citizens, and Bourgesses; But we will not in any case that* you or any other Sheriff of our said Kingdom shall be elected: *And at the day, and place aforesaid the said Election, being made in a full County Court, You shall certifie without delay to us in our Chan-*

Chancery under your Seal, and the Seals of them which shall be present at that Election, sending back unto us the other part of the Indenture aforesaid affixed to these presents together with the Writ. Witnesse our self at Westminster.

This Commission or Writ is the foundation whereon the whole Fabric of the power and duty of both Houses of Parlement is grounded. The first House is to *parly or have conference, and to treat with the King*; the other House is only to *do, and consent* unto what the other shall ordain by their help and conference: so that by this Writ we doe not find that the *Commons* are called to be any part of the great Councel of the Kingdom, or of the Supreme Court of Judicature, much lesse to have any share in the *Legislative power*, or to consult *de arduis regni negotiis*, of the difficult businesses of the Kingdom, but only to *consent*. And Sir *Edward Coke* to prove the *Clergy* hath no voyce in Parlement, useth this argument, That in their *Writ* also the words are to come thither *ad consentiendum*, to *consent* to such things as were ordained by the *Comon Councel* of the Kingdome; but the other word *ad faciendum, to do*, is not in their Writ *action* being not so proper for them in regard of their *Clerical* functions.

Polyander.

Polyander.

Then it may be well inferred from what you have produced, that the King with the Prelats and Peers is properly the Common Councel of the Kingdom.

Philanglus.

Yes without controversie, nor untill the raign of *Henry* the first were the Commons call'd to the Parlement at all, or had as much as a consent in the making of laws. *Camden* in his *Britannia* teacheth us, that in the times of the *Saxon* Kings, and the ensuing ages, that the great or Common Councel of the land was *Præsentia Regis, Prælatorum procerumq; collectorum*, the presence of the King with the Prelats and Peers. *Selden* also tels out of an old Cronicle of the Church of *Liechfield*, that King *Edward by the advice of his Councel of Barons*, reviv'd a law which had layn dormant threescore and seven years; in the same Cronicle it's said, that *William the Conquerer held a Councel of his Barons, An. 4. regni sui apud Londinias.* The next yeer after he had a Councel of Earls and Barons at *Pinenden* Heath, to decide the great controversie twix't *Lanfranck* Archbishop of *Canterbury*, and *Odo* Earl of *Kent*.

In the 21, of *Edward* the third, there is mention made of a Parlement held 5° *Conquestoris*,

questoris, wherein all the Bishops of the Land, Earls and Barons made an Ordinance touching the Exemption of the Abby of *Bury* from the Bishops of *Norwich*.

In the second years of *William Rufus*, there is mention made of a Parlement *de cunctis Regni principibus*. In the seventh of his raign there was another Parlement at *Rockingham* Castle, *Episcopis, Abbatibus, cunctisq; Regni principibus coeuntibus*, wherein the Prelats, Abbots, and all the chief men conven'd in Councel.

At the Coronation of *Henry* the first, all the peeple of *England* were call'd, and laws were then made, but it was as the story saith *per commune Concilium Baronum*; In the third yeer, the tenth yeer, and the twenty third yeer of his raign the same King held a Parlement, or great Councel of his *Barons spiritual and temporal*.

Henry the second in his tenth yeer had a Parlement at *Clarindon*, consisting of Lords spiirtuall and secular; in his twenty second yeer, he had another at *Nottingham*, and a while after another at *Winsor*, then another at *Northampton*, wherein there is mention made only of Prelats and Peers.

Richard the first after him held a Parlement at *Nottingham* in his fifth yeer, consisting of *Bishops, Earls and Barons*, which lasted

lasted but four dayes, during which time there were mighty things transacted; *Hugh Bardelf* was deprived of the Castle and Sheriffswick of *York* the first day; the second day he had judgement against his brother *John* who was afterward King; the third day there was granted the King two shillings of every plowland in *England*; he required also the third part of the service of every Knights fee for his attendance to *Normandy*, and all the Wool of the *Cistercian* Monks. The fourth day was for hearing of grievances; so the Parlement broke up, but the same yeer he convoked another Parlement of Nobles at *Northampton*.

King *John* in his first yeer summon'd his *Magnates*, his great men to a Parlement at *Winchester*, and the words of the *Roll* are *Commune concilium Baronum meorum*, the Common Councel of my Barons at *Winchester*.

In the sixth year of *Henry* the third, the *Nobles* granted the King for every Knights fee two marks in silver at a convention in Parlement; He had afterwards Parlements at *London*, *Westminster*, *Merton*, *Winchester*, and *Malborough*; Now these precedents shew that from the conquest untill a great part of the raign of *Henry* the third, in whose dayes 'tis thought the Writ for

 election

election of Knights was framed first, the *Barons* only made the Parlement or *Common Councel* of the Kingdom.

Polyander.

By so many strong evidences, and pregnant proofs which you produce, I find it to be a *meridian* truth, that the *Commoners* were no part of the High Court of Parlement in ages pass'd: Moreover I find in an ancient Manuscript, that the *Commons* were reduc'd to a *House*, by the advice of the *Bishops* to the King in the brunt of the Barons wars, that they might allay and lessen the power of the *Peers* who bandied so many yeers against the *Crown*; yet to prevent that they should not arrogat too much authority to themselfs,

(as, *Asperius nihil est humili cum surgit in altum*) it was done with those cautions that they had scarce as much jurisdiction given them as a Pyepowders Court hath, for they should neither exhibit an oth, nor impose fine, or inflict punishment upon any but their own members, or be a Court of Record, or grant Proxies, therefore it may well be a *quere* how they can appoint *Committees*, considering that those Committy-men whom they choose are no other then their Deputies, and act by power and *proxy* from them. But it is as cleer as the Sun that the Con-

Conquerer first brought this word *Parlement* with him, being a *French* word, and made it free denizon of *England*, being not known before; for therein the *Normans* did imitat the *Romans*, whose practise was that wheresoever they conquered, they brought in their *language* with the *lance*, as a mark of conquest; I say that besides those instances you produce, I could furnish you with many in the *Saxons* times who governed by the councel of the *Prelats* and *Peers*, not admitting the Commons to any communication in affairs of State; There are records hereof above a thousand yeer old in the raign of King *Ina*, *Offa*, and *Ethelbert*, and the rest of the seven Kings during the *Heptarchy*; They call'd their great Councels, and conventions then *michel smoth*, *michel Gemote*, *and Witenage mote*, wherein the *King and Nobles with the Bishops* only met, and made laws; that famous convention at *Gratley* by King *Athelstan* was composed only of *Lords spiritual* and *temporal*; such also was that so much celebrated Assembly held by *Canutus* the *Dane*, who was King of *England*, *Denmark* and *Norway*; *Edward* the *Confessor* established all his laws thus, and he was a great *legislator*; The *British* Kings also who retain'd a great while some part of

of this Island unconquer'd, govern'd and made laws this way by the sole advice of their *Nobles* whom they call *Arglwyded*; witnesse the famous laws of Prince *Howell* call'd *Howell Dha* (the good King *Howell*) whereof there are yet extant some *Welch* records, and divers of those laws were made use of at the compilement of *Magna Charta.*

But in your discourse before, among other Parlements in *Henry the thirds* time, you make mention of one that was held in 55. of his reign at *Marlbourough*, at which time *Bracton* the great Lawyer was in high request, being Lord chief Justice; They that wold extenuat the *Royal Prerogative* insist much upon a speech of his, wherein he saith, *The King hath a Superior God, he hath also the law by which he is made; as also the Court*, viz. *the Earls and Barons, but not a word* of the *Commons*; But afterwards he doth interpret, or rather correct himself, when speaking of the *King*, he resolves thus, *Nec potest ei necessitatem aliquis imponere quòd injuriam suam corrigat & amendet, cùm superiorem non habeat nisi Deum, & satis erit ei ad pœnam quòd Dominum expectet ultorem.* Nor (saith he) can any man put a necessity upon the King to correct and amend his injury, unlesse he will himself, since he hath

no

no Superior but God: It will be sufficient punishment for him to expect the Lord for his avenger: To preserve the honor of this great Judge, the Lawyers found out this distinction, That the King is free from the *coercive* power of Laws and Councellors, but he may be subject to their *directive* power yet according to his own will and inclination, that is, *God* can only *compell* or *command* him, but the Law and his Courts may only advise and direct him; but I pray Sir excuse me that I have so much interrupted you in your discourse. You may please now to proceed.

Philanglus.

To prove my assertion further that the *Commons* were no part of the high Court, and Common Councel of *England*, I will make use of the testimony of Mr. *Pryn*, who was in such high repute most part of the late long Parlement, and appeer'd so eager for the priviledge and power of the lower House: In his book of *Trechery* and disloyalty, he proves that before the *Norman* Conquest, by the Laws of *Edward* the Confessor, the King was to doe Justice by the Councel of the *Nobles of his Realm*: he would also prove that the *Earls and Barons* are above the King, and ought to bridle him when he exorbitats from the law, but

not

not a syllable of the *Commons*. He further tels us that the *Peers and Prelats* have oft translated the Crown from the right Heir, whereof out of his great reading he urgeth divers examples; First, after King *Edgars* decease they crowned *Edward* who was illegitimat, and put by *Ethelred* the right Heir: Then they crowned *Canutus* a meer foreiner in opposition to *Edmund* the lawful Heir to *Etheldred*. *Harold* and *Hardicanute* were both elected Kings successively without just title, the Lords putting by *Edmund* and *Alfred* the rightful Heirs. Upon the death of *Herald* the *English* Nobility enacted that none of the *Danish* bloud shold raign any more over them; *Edgar Atheling* was rejected by the Lords, and though he had the best title, yet they elected *Harold*. He goes on further in prejudice of the *Commons*, saying, that the beginning of the Charter of *Henry the first* is observable, which runs thus, *Henry by the grace of God King of* England, &c. *Know ye that by the mercy of God and Common Councel of the Barons of the Kingdom, I am crowned King*. *Mawd* the Empresse was the right Heir, but she was put by the Crown by the *Prelats and Barons*, and *Stephen* Earl of *Mortmain* who had no good title was heav'd up into the Throne by the *Bishops and Peers*.

Lewis

Lewis of *France* was crown'd King also by the *Barons* insteed of King *John*, and by the same *Barons* was uncrown'd, and sent back to *France*. In all these high transactions, and changes, Mr. *Pryn* confesseth the *Commoners* had nothing to do, the *despotical* and ruling power as well as the *consultative* being in the Councel of Prelats and Peers; and if Mr. *Pryn* could have found half so much Antiquity for the Knights, Citizens, and Bourgesses, without question we shold have heard from him with a witnesse; but while he converseth with Elder times, he meets not with so much as the names of *Commoners* in any record.

Polyander.

How then came the *Commoners* to sway so much of late years, and challenge such an interest in the public government, and making of laws?

Philanglus.

It is a certain truth that in former ages the Kings of *England*, as well *Saxon*, *Danes*, *Normans*, and *English* Kings did steer the cours of their Government by the advice of their own *Privy Councel*, and in extraordinary cases by the compasse of the *great Councel* consisting only of *spiritual and secular Barons*, whom they convok'd by

Royal

Royal ſummons when they pleas'd; I told you this word *Parlement* came in with the *Norman*; yet the *Commons* were not call'd to Parlement till the raign of *Henry* the *firſt*, which was a good while after the Conqueſt; to which purpoſe Sir *Walter Rawleigh* writes, ſaying, it is held that the Kings of *England* had no *formal Parlements*, till about the 18. yeer of *Henry* the firſt, at which time the *Commons* were ſummon'd, and the *great Charter* was granted: And if we beleeve Sir *Walter Rawleigh* and others, the *Houſe of Commons*, and *Magna Charta* had firſt but obſcure births, being ſprung from *uſurpers*, and foſter'd afterward by *rebellion*; For King *Henry* the firſt did but *uſurp* the Kingdom, and therefore to ſecure himſelf the better againſt *Robert* his eldeſt brother, he courted the *Commons*, and granted them that *great Charter*, with *Charta de Foreſta*; which King *John* confirm'd upon the ſame grounds, for he was alſo an *uſurper*, *Arthur* Duke of *Britain* being the undoubted Heir of the Crown, ſo the Houſe of *Commons* and theſe *great Charters* had their original from ſuch that were Kings *de facto*, not *de jure*.

Polyander.

It is obſerved that *Uſurpers* are commonly the beſt Law-makers, which they do to in-

ingratiat themſelfs the more to the peeple, as beſides theſe Kings you have nam'd *Richard* the *third* did, who was ſaid to be a *good King* though a *bad man*, a character clean contrary to that I heard ſome abroad give of the laſt King, who they ſaid was a *good man* but an *ill King*; but I pray be pleas'd to proceed.

Philanglus.

Whereas I told you before that it was in the raign of *Henry* the *firſt* that the *peeple* were admitted to the Common Councel of the Kingdom, yet they were not conſtantly call'd, for though the ſaid King call'd them to his Coronation, and again in the 15. or 18. year of his raign, yet he did not ſo alwayes, neither many of thoſe Kings that ſucceeded.

Polyander.

I remember to have read one remarkable paſſage in the raign of *Henry* the firſt, that in his third year for the marriage of his daughter he rais'd a tax upon every hide of land, but he did this by the advice of his *Privy Councel* alone without conſulting publiquely with either *Prelat*, *Peer*, or *peeple*.

Philanglus.

So did divers of his Anteceſſors, and ſucceſſors alſo after the *Commons* were admitted to partake of the Common Coun-

cel;

cel; But to illustrat this point further, notwithstanding that the Commons were sought unto in *Henry* the firsts time, yet they were not constantly and formally sent unto till *Henry* the *third*, in whose raign the *Writs* of summons for elections were first issued; but the succeeding Kings assum'd a power to *regulat* those *Writs* at pleasure by the sole advice of their *Privy Council*, as we read in the time of *Henry* the sixt, who was the first framer of that famous Ordinance, *Whereas Elections of Knights have been made with great outrages, and excessive number of peeple, of which most part was peeple of no value, yet pretend a voyce equivalent to worthy Knights, and Esquires, whereby many riots, manslaughters, and division among Gentlemen shall likely be, Our Lord the King hath ordain'd that Knights of Shires be chosen by peeple dwelling in the Counties, every one of them having lands or tenements to the value of* 40 s. per annum, *at least, and that he who is chosen be dwelling and resiant within the Counties where they are elected.*

Polyander.

But did not the Kings of *England* reserve a power to except against any that came to Parlement?

Philanglus.

Mr. *Camden* speaking of the dignities of *Barons*, saith that it was ordain'd and decreed

creed in the raign of *Henry* the third, that all those Earls and Barons unto whom the King himself vouchsafed to direct his Writs of summons should come to his Parlement, *and no others*; And this rule *Edward* the *first* constantly observed, and continued; for as *Camden* hath it, That prudent King summon'd alwayes those of *ancient families*, and who were most *wise* to his Parlement, and omitted their *sons* after their death, if they were not answerable to their fathers in *understanding*; In another place he saith elect men for wisdom and worth among the Gentry were call'd to Parlement, and *their posterity omitted*, if they were defective herein.

Polyander.

If the King hath a power to except against a Nobleman from sitting in Parlement, sure, by an argument *à majori ad minus*, he may do it against a Commoner.

Philanglus.

It should be so in reson, and Queen *Elizabeth*, who was so great a darling of her peeple, did practise her power that way often. But the modesty of the House of *Commons* was very great in former times, for they did arrogat no more power then what the Kings *Writ* gave them, they evaded *matters of state* as much as they could.

13. of

13. of *Edward* the third, a Parlement was call'd to consult of the *domestic quiet*, the *defence of the marches of* Scotland, *and security of the Seas from enemies*, the *Commons* were desir'd their advice herein, but they humbly desir'd not to be put to consult of things, *Queux ils n'ont pas cognisance. Things whereof they had no cognisance.* In 21. of the same King, the *Commons* being mov'd for their advice touching a prosecution of a war with *France*, by an elegant speech of Justice *Thorp*, after four dayes consultation they answer'd, *That their humble desire of the King was, that he wold be advised therein by the Lords being of more experience then themselfs in such affairs.*

In the 6. yeer of *Richard* the second, the Parlement was call'd to consult, whether the King shold go in person to rescue the great City of *Gaunt*, or send an Army, the *Commons* being ask'd their advice, they humbly answered by Sir *Thomas Puckering* their Speaker, that the Councels of War did more aptly belong to the *King and his Lords.* The next year after the *Commons* are will'd to advise of the Articles of peace with *France*, but they modestly excuse themselfs as *too weak to councel in so weighty matters*: And being charg'd again as they did tender the repute of their Countrey,

Countrey, and right of their King, they humbly delivered their opinions rather for *peace* then war: such was the moderation and modesty of the House of *Commons* in former times that they declin'd the agitation, and cognizance of high State affairs, especially *forren*, humbly transferring them to their *Soverain*, and his *Upper Councel*; a Parlement man then, (I mean a member of the *Commons* House) thought it to be the adequat object of his duty, to study the welfare, to complain of the grievances, and have the defects supplyed of that place for which he *serv'd*: The Bourgesse of *Lin* studyed to find out something that mought have advanced the trade of *Fishing*; He of *Norwich* what mought have advantag'd the making of *Stuffs*: He of *Rye*, what might preserve their Harbor from being choaked up with shelfs of sands: He of *Taverston*, what mought have further'd the manufacture of *Kersies*: He of *Suffolk*, what conduced to the benefit of *cloathing*: the Bourgesses of *Cornwall* what belong'd to their *Stanneries*, and in doing this they thought to have complyed with the obligation, and discharg'd the conscience of honest men, without soaring to things above their reach and roving at random to treat of Universals, to pry into

 Arcane

Arcana Imperii, and bring Religion to the bar, the one belonging to the chief Governour, and his intern Councel of State, the other to *Divines* who according to the etymology of the word use to be conversant, and employ their talent in the exercise and speculation of holy and heavenly things.

Polyander.

I am clearly of your opinion touching the two last particulars; for secrecy being the soul of policy, matters of State shold be communicated to the cognizance and deliberations of few, *viz.* the Governour in chief, and his *Privy Councel*; And touching Religion, I do not see (humbly under favour) how it may quadrat with the calling of Laymen to determin matters of Divinity, and discusse points of Faith. But though the establishment of the House of Commons be a wholsome thing in it self, I heard it censur'd beyond the Sea, that there is a great incongruity in one particular, which is, that the *Burgesses* are more in number then the *Knights of Shires*, for the *Knights* of Shires are commonly Gentlemen well born, and bred, and divers of them versed in forrein governments as well as the laws of the land; But the *Bourgesses* of Towns are for the most part

part all *Tradesmen*, and being bred in Corporations they are more inclining to popular government and *Democracy*; Now, these exceeding the *Knights* in number, carry all before them by plurality of voyces, and so puzzle the proceedings of matters; But now that I have mentioned *Corporations* I must tel you that the greatest soloecism in the policy of this State is the nomber of them, specially in this monstrous City, which is composed of nothing else but Corporations, which smell ranck of little *Republiques* or *Hanses*; and it was a great Error in the last two Kings to suffer this *Town* to spread her wings so wide, for she bears no proportion with the bigness of the *Island*, but may fit a Kingdom thrice as spacious; she engrosseth and dreins all the wealth of the land, so that I cannot compare *England* more properly then to a *Cremona* Goose in *Italy*, where they have a way to fatten only the heart of the Goose, but in doing so they make the rest of the whole body grow lean and lank: And as it was an error so to suffer her to *Monopolize* the trade and riches of the land, so it was in letting her gather so much strength in exercise of arms, by suffering her to have such an *Artillery garden*, and *Military yard*; which makes me think on a speech of Count

 Gondamar

Gondamar the *Spanish* Ambassador, who being invited by the King to see a muster of the Citizens in St. *James fields*; after they were gone, he was ask'd by the King how he lik'd his Citizens of *London*? Truly Sir, said he, I have seen a company of goodly able men, with great store of good arms, *but Sir I fear that these men will do you a mischief one day*, for the conceit wherewith they may be puff'd up for the knowledge they have in handling their arms, may heighten their spirits too much, and make them insolent; My Master, the King of *Spain*, though there breaths in his Court well neer as many souls as there are in *London*, and though he be in perpetual war with som or other, yet in his Court he is so peaceable that one shall see no sign of war at all, he suffers not any armed men to strut under his Nose, there is neither *Artillery Garden*, or *Military yard* there at all, but only a few *German* Partisans, that gard his body, therefore, as I said before, these men may do your Majesty an *ill turn* one day, and whether *Gondamar* was a Prophet herein or no, judge you. But I pray Sir be pleas'd to dispense with me for these interruptions I give to your former discours touching Parlements.

Philang-

Philanglus.

Having formerly spoken something of the Original duty and power of the Great Councel of the Kingdom with the Primitive institution of the House of *Commons*, I will proceed now to that grand question, *where the Supreme Legislative power resides*? Certainly, if we examin the *Writs* of summons for both Houses, with the bodyes and titles of our ancient Acts of Parlement, we shall find the Supremacy and power of making laws to rest in the *King*, or *Governor in chief*; Now, when the Parlement is styled the *Supreme Court*, it must be understood properly of the *King* sitting in the House of Peers in person, and but improperly of the *Lords* without him; It is granted that the *consultative*, *directive*, or *deliberative power* is in the House of Peers, the performing and *consenting* power, in the House of Commons, but the *Legislative* power lodgeth in the person of the King; for Parlements are but his productions, they derive their being from the breath of his *Writs*: He, as Sir *Edward Coke* doth positively affirm, is *Caput, Principium, & finis*, He is the head, he is the beginning and ending, the *Alpha* and *Omega* of Parlements.

Polyander.

But some affirm that the *Legislative*

 power

power is in the two Houses, and that they are above the King.

Philanglus.

The difference 'twixt the King or Supreme Magistrat, and the Parlement, is this, that the one represents *God*, the other the *peeple*, then judge you to whom belongs the greatest power: 'Tis true, as I said before, the *consultative* power is in Parlement, and 'tis but by the Kings permission, the *commanding* power resides still in the *chief Governor*, and is inseparable from him, the results and productions of *Parlement*, at best, are but *Bils*, 'tis the Kings breath makes them *laws*, till then they are but dead things, they are like matches unfired, 'tis the King that gives life and light unto them: The Lords *advise*, the Commons *consent*, but the King *ordains*; they mould the *bils*, but the King makes them *laws*, therefore they are ever after called the *Kings laws*, the *Kings Judgements*: The Lords *&c.* have the *Indicatif* part, but the King the *Imperatif*: The *liberties* also of the peeple flow all from him, for *Magna Charta* begins thus, *Henry* by the grace of God, Know ye that We of our *meer and free will*, have given these *liberties*: in the self same style runs *Charta de foresta.*

The Statut of *Marlborough*, 52° *Henry* the

the third, runs thus, The *King hath made* these Acts, Ordinances, and Statuts, which he willeth to be observed of all his subjects high and low.

3° *Edwardi primi*, the title of the Statut is; These are the *Acts of King Edward*, and after it, it follows, The King hath *ordain'd* these Acts; the first Chapter begins, *The King forbiddeth* and commandeth that none do hurt, damage, or grievance to any religious man, or person of the Church; and in the 13. Chapter, *The King prohibiteth* that none do ravish, or take away by force, any maid within age.

6° *Edward* the first, it is said our Soveraign Lord the *King hath established the Acts*, commanding they be observed within this Realm: and in the 14. chap. the words are, The *King* of his *special grace* granteth that the Citizens of *London* shall recover in an Assise damage with the land.

The statut of *Westminster* 2. saith, *Our Lord the King hath Ordain'd* that the Will of the Giver be observed, and in the 3. chapter, *Our Lord the King hath Ordain'd* that a woman after the death of her husband shall recover by writ of Entrie.

The Statut of *Quo Warranto* saith, Our Lord the *King* at his Parlement of his *special Grace*, and for affection which he beareth

to his Prelats, Earls and Barons, and others hath granted that they who have liberties by prescription shall enjoy them.

In the Statut *de finibus levatis*, the Kings words are, *We* intending to provide remedy in our Parlement *have Ordain'd*, &c.

28° *Edward* the first, *The King wills* that the Chancelor, and the Justices of the Bench shall follow him, so that he may at all time have some neer unto him that be learned in the laws: And in the 24. chapter the words are, Our Lord *the King* after full conference and debate had with his Earls, Barons, and Nobles by that consent *hath Ordain'd.*

But most remarkable is that Letter which was sent to the Pope, 28° of the forenamed King, whereof Sir *Edward Coke* makes solemn mention in his Instituts, which Letter was sent by the House of Lords only to the Pope as I told you, for at the conclusion there are these words; *In cujus rei testimonium Sigilla nostra tam pro nobis quàm pro tota Communitate Angliæ presentibus sunt appensa*; In testimony whereof, our Seals, as well for our selfs as for the whole Cominalty of *England* are affix'd; whence he infers, that the *Commons* House had then neither Seal nor Speaker, &c. but the House of Peers represented the whole Nation.

The

The Statut de Tallagio speaks in the *Kings* person, no Officer of ours, no tallage shall be taken by us, *We will and grant.*

1° *Edward* the second begins thus, Our Lord the King *willeth and commandeth.*

The Statut of the 9. of the same King, saith, *Our Lord the King* by the assent of the Prelats, Earls, and other great States *hath Ordain'd.*

The Statut of *Carlile* saith, We have sent our *command* in writing firmly to be observed.

1° *Edwardi* 3. begins thus, King *Edward* the third, At the request of the *Comminalty*, by their *Petition* before him, and his *Councel* in Parlement hath granted, *&c.* And in the 5. chapter, *The King willeth* that no man be charg'd to arm himself otherwise then he was wont.

5° *Edward* the third, Our Lord the *King* at the request of his peeple hath *established* these things which he wills to be kept.

9° Of the same King there is this title, Our Lord *the King* by the assent, and advice of his Councel being there, *hath ordain'd*, &c. In the 10. yeer of the same King it is said, Because our Lord the King hath receiv'd by the complaints of the Earls, Barons, also at the shewing of the Knights of the Shires, and the *Commons* by

their

their *Petition*, in his Parlement, *&c.* hath *ordain'd* by the *assent*, and at the request of the said Knights and Commons, *&c.* But very remarkable is that of 22. of *Edward* the third, where it is said, *The King* makes *the laws by the assent of Peers and Commons, and not the Peers and Commons.*

The statut of 1. *Ric.* 2. hath this beginning, *Richard* the *second* by the assent of the *Prelats, Dukes, Earls, and Barons*, and at the instance and special request of the *Commons hath Ordained.*

As for the Parlements in *Henry* the fourth, *Henry* the fifth, *Henry* the sixth, *Edward* the fourth, and *Richard* the thirds raign, most of them do all agree in this one title, Our Lord the *King* by the *advice* and assent of his Lords, and at the special instance and *request* of the Commons, *hath Ordained.*

The Statuts in *Henry* the sevenths days do for the most part agree both in the titles and bodies of the Acts in these words, *The King* by the assent of the Lords spiritual and temporal, and the Commons in Parlement assembled *hath Ordained.*

But very remarkable it is that the House of *Commons* was never *Petitioned* unto till *Henry* the sevenths raign, and it was about the middle thereof; which *Petition*

tition is inserted among the Statuts, but though the Petition be directed to the House of Commons in point of title, yet the prayer of the Petition is turn'd to the King, and not to the Commons. The Petition begins thus, *To the right Worshipful Commons in this present Parlement assembled*, shews to your discreet wisdoms the Wardens of the Fellowship of the Craft of Upholsters within *London*, &c. But the conclusion is, *Therefore it may please the Kings Highnesse, by the advice of the Lords spiritual and temporal, and his Commons in Parlement*, &c.

Thus it appears that in our Forefathers days it was punctually expressed in all laws that the *Statuts* and Ordinances were *made* by the *King*: And withall it is visible by what degrees the stiles and titles of Acts of Parlement have been varyed, and to whose advantage. The higher we look, the more absolute we find the power of *Kings in ordaining laws*, nor do we meet with at first so much as the assent or advice of the *Lords* mentioned. Nay, if one cast his eye upon many Statuts of those that be of most antiquity, they will appear to be no other things but the *Kings plesure*, to whom the punishments of most offences were left: The *punitive* part which is the chiefest

chiefest vigor of the law we find committed by the Statuts themselfs to the *Kings* meer *will and plesure*, as if there were no other law at all, witnesse these precedents.

3° *Edward* the first, the ninth chapter saith, That Sheriffs, Coronets and Bayliffs for concealing of felonies shall make grievous fines *at the Kings plesure.*

Such as shall be found culpable of ravishing of women shall *fine at the Kings plesure.*

The penalty for detaining a Prisoner that is mainpernable is a fine *at the Kings plesure.*

Offenders in Parks or Ponds, shall make fines *at the Kings plesure.*

Committers of Champarty, and extortioners are to be punished *at the Kings plesure.*

Pourveyors not paying for what they take shall be grievously *punished at the Kings plesure.*

The King shal punish grievously the Sheriff, and him who maintains quarrels.

Taker away of Nuns from religious Houses to be fined at the *Kings will.*

If a Goldsmith be attainted, for not assaying, touching and working vessels of gold he shall be punished *at the Kings plesure.*

There

There is a notable saying declar'd in the 8. yeer of *Henry* the fourth, *viz. potestas principis non est inclusa legibus*, the power of the Prince is not curb'd by law.

In the 2. yeer of *Henry* the fifth, there was a law made wherein there is a clause, that it is the *Kings Regality* to *grant* or *deny* such Petitions as he please.

6° *Henry* the sixt, An Ordinance was made to endure as long as it shold *please the King.*

Now for further proof, that the *legislative* power is in the King, or *Supreme Magistrat*, it is to be observed, that as Sir *Edward Coke* saith, All *Acts* of Parlement in former times, were in form of *Petitions*; now, if the Petitions were from Parlement, and the *answer* from the King, 'tis easie to judge who *makes* the Acts: Moreover Sir *John Glanvil* affirms that in former times the way of Petitioning the King was this, The Lords, and Speaker either by words or writing preferr'd their Petition to the King, (which was afterwards called a *bill*) which Petition being received by the *King*, he received part, and part he *put out*, and part he *ratified*, and as it came from him it was drawn to a *law.*

Furthermore it appears that Ordinances, Provisions, and Proclamations made here-

heretofore out of Parlement have been alwayes acknowledged for laws, and Statuts.

The *Statut* call'd the *Statut of Ireland*, dated at *Westminster*, 9. *Feb.* 14. *Henry* the third, was nothing else but a *Letter of the Kings* to *Gerard* son of *Maurice* Justicer of *Ireland*.

'Tis hard to distinguish among the old *Statuts* what laws were made by *Kings* in Parlement, what out of Parlement, when Kings call'd the Peers only to Parlement, (and of those as *many* and *whom* they pleas'd) it was no easie matter to put a difference 'twixt a *Proclamation* and a *Statut*; or 'twixt the Kings *Privy Councel*, and his *Common Councel* of the Kingdom.

In the Statut of *Westminster* 'tis said, These are the *Acts* of King *Edward* the first, *made* at his first Parlement by his Councel, *&c.*

The Statut of *Burnell* hath these words, The *King* for Himself, and by his Councel, *hath ordain'd and established.*

When *Magna Charta* was confirmed, ther are found these two provisions in *articulis super Chartas.*

First, nevertheless the *King and his Councel* do not intend by reason of this *Statut to diminish the Regal right.*

The

The second, notwithstanding all these things before mentioned or any part of them, both the King and his Councel, and all they who were present will, and intend that the *right and Prerogative of his Crown* shall be saved to him in all things.

The *Statut of Escheators* hath this title, At the Parlement of our Soverain Lord the King, by his Councel it was agreed, and also by the *King himself commanded.*

The *Statut made at York*, 9. *Edward* the third, goeth thus, *The King* by advice of his Councel *hath ordained.*

Now touching the *Kings Councel*, I mean his *Privy Councel*, it hath been always of great authority, and extremely useful in the public government of the Common-wealth, and all Kings have acted most by it. King *Edward* the first, finding that *Bogo de Clare* was discharged of an accusation brought against him in *Parlement*, yet he commanded him never the lesse to appeer before him, and his *Privy Councel*, *ad faciendum & recipiendum quod per Regem, & ejus Concilium faciendum*, and so proceeded to a re-examination of the whole businesse.

Edward the third in the *Star-chamber*, which was the ancient *Councel Table* of the Kings, upon the complaint of *Elizabeth Audley* commanded *James Audley* to appeer before

before him and his Councel, where a controversie was determin'd between them touching land contained in her joynture.

Henry the fifth, in a sute before *him* and his *Councel* for the titles of the Mannors of *Serre*, and Saint *Laurence* in the Ile of *Thanet* in *Kent*, sent order for the profits to be sequestred till the right were tryed.

Henry the sixt, commanded the Justices of the Bench to *stay* the arraignment of one *Varney* in *London*, till they had commandement from *Him*, and his *Councel*.

Edward the fourth, and his *Privy Councel heard, and determined* the cause of the Master, and poor brethren of St. *Leonards* in *York*, complaining that Sir *Hugh Hastings* and others, withdrew from them a great part of their living, which consisted chiefly upon the having of a thrave of corn upon every plowland within the Counties of *York*, *Cumberland*, &c.

Henry the seventh, *and his Privy Councel commended that* Margery *and* Florence Becket *shall sue no further* in their cause against *Alice Radley*, widow for lands in *Woolwich* and *Plumstead* in *Kent*.

In *Henry* the thirds time, an order or provision was made by the *Kings Councel*, and it was pleaded at the Common law in bar to writ of dower.

We

We find also that it hath been very usual for the *Judges* before they would resolve or give judgments in som cases to consult with the Kings *Privy Councel*.

In the case of *Adam Brabson*, who was assaulted in the presence of the Justices of Assise at *Westminster*, the *Judges* wold not proceed without the advice of the Kings *Privy Councel*.

Green and *Thorp* were sent by the Judges to the Kings *Privy Councel* to demand of them whether by the statut of *Edward* the third, a word may be amended in a writ.

In the 39. of *Edward* the third, in the case of Sir *Thomas Ogthred*, who brought a *formedon* against a poor man and his wife, the Judges said, *Sue to the Kings Councel*, and as they will have us to do, we will do, and no otherwise.

Thus we find that the Court Councel did guide and check the Judges oftentimes, yet the *Judges* have guided the great Common Councel, or high Court of Parlement.

Polyander.

I perceave that you have studied the point of *King* and *Parlement*, to very good purpose by these choyce instances you have produced; but I find that though the *Parlement* hath been held the *Great Councel* of

the

the Kingdom, yet the ordinary, and constant way of government was by the King or *Soverain Magistrat, and his Councel of State:* for the *great Councel*, (without disparagement) may be call'd the production of the *Privy Councel*, witnesse the words of the *writ* of summons. But since you have proceeded so far, I desire to know, whether by an implicit faith we are to obey what the Parlement determines; or whether it may err or no, and what are those privileges it hath.

Philanglus.

I shall do my endeavour to satisfie you in all; Touching the *first*, no doubt but we are to acquiesce in what a tru Parlement ordains, for it is generally binding, and requires an universal obedience, because it bears the stamp of *Royal* authority, and of the *Supreme Magistrat*, who is the *head* of the Parlement, who having consulted with his Judges, and *Privy Councel* must be satisfied in his own conscience of the justness of such bils that he is to passe for laws, because afterward he is to *protest* them, and his soul lies by oth at the stake for the defence and safeguard of them; he is also to consult with his learned and Privy Councel whether they trench upon his Royal Prerogative, and then his answer is,

is, you know it, *le Roy s'avisera*, the King will consider of it, which, though in civil terms, is equivalent to a flat *denyal.*

Touching the second point, Sir *Edward Coke* tels us that *Parlements have been utterly deceiv'd, and that in cases of greatest moment*, specially in the interpretation of laws, and in that point the twelve Judges, who are called the Sages and Oracles of the law, and whose duty it is *legem dicere*, are to be beleeved before the Parlement, whose office is more *legem dare*, to make new laws, then to expound the old; Parlements being composed of men may erre; Mr. *Pryn*, as I alledged before, tels us how many usurpers they have preferred before the rightful Heirs; How often did *Henry* the eight make Parlements the panders of his lust, and instruments of his tyranny; In whose time there are three Acts observable.

1. That Proclamations shold be equivalent to Laws.

2. That Queen *Elizabeth* was illegitimat.

3. That the King in his last will might name whom he pleas'd to be his successor: Besides in lesse then four yeers, *Religion* was *changed twelve times* in his raign by Parlement.

Polyander.

Touching the last *Act of naming a successor*, I have seen a manuscript which makes mention that *Henry* the eight som 2. yeers before his death summon'd a Parlement, wherein he intimated unto them, that one of the main designs of convoking that Parlement, was, that they *shold declare a successor to the Crown*; But the Parlement with much modesty answer'd, that touching that point, it belong'd to his Majesty to consider of it, and consult with his *learned and Privy Councel* about it; And whomsoever his Majesty wold please to nominat in his last Will, they wold confirm and ratifie; Whereupon old *Harry* made a formal Will, which was enroll'd in the Chancery, wherein (remembring the perfidious cariage of *James* the fourth, his brother in law) he declar'd the issue of his eldest sister, the Queen of *Scots*, being forreners, incapable to inherit, and the issue of *Charles Brandon*, after the progeny of his own body, to succeed next: This *Will* continued in the Chancery all *Edward* the sixts time, till Queen *Mary*, who about the midst of her raign did cancel it. But now Sir, be pleas'd to pardon this Parenthesis, and resume the threed of your former Discours, in displaying what are the *privileges* of Par-

Parlement, which were so much insisted upon, and cried up in the late *long* Parlement, till they swell'd so high, that they swallowed up and devour'd the Prerogative, and overwhelm'd all the banks of Justice, and private propriety.

Philanglus.

If we will give credit to Sir *Ed. Coke*, who was a great Champion of the House of *Commons*, and no friend to *Prerogative* (which he was us'd to call that *Great Monster*) the privilege of freedom from Arrests is the *only* privilege of Parlement. He cannot, or at least, he doth not so much as name any other in his Section of the *privileges of Parliament*; neither is *this privilege* so unquestionable and cleer as som do imagine, as divers examples may be produced in the raign of Queen *Elizabeth*, who was so great a *darling of the Commons*; In the 39. of her raign, Sir *Ed. Hobby*, and Mr. *Brograve* Attorney of the *Duchy* were sent by the House to the Lord Keeper, to *require* his Lordship to revoke two writs of *Subpœnas* which were serv'd upon Mr. *Tho. Knevet* a member of the House; the Lord Keeper demanded of them whether they were appointed by any advised consultation of the House to deliver this message unto him with the word *require*; they answer'd, yes; He replyed as he

 thought

thought reverently and honorably of the House, and of their liberties and privileges, so to revoke the said *subpœnas in that sort* was to restrain her Majesty in her greatest power which is in the public administration of Justice in the place wherein he serves her, Therefore he concluded, that as they had required him to revoke his writ, so he did require further deliberation.

18° *Eliz.* report was made by the Attorney of the *Duchy* upon the Committee for the delivering of one Mr. *Hals* man, that the Committee found no precedent for setting at large by the Mace any person in arrest but only by writ, and that by divers precedents of records perus'd by the said Committee it appeered that every Knight, Citizen, or Burgesse, which doth desire privilege, hath used in that case to take a corporal oth before the Lord Chancellor or Keeper for the time being, that the party for whom such writ is prayed *came up with him, and was his servant at the time of the arrest made*; Thereupon Mr. *Hall* was directed by the House to repair to the Lord Keeper, and make oth, and then to take a warrant for a writ of privilege for his servant.

27° *Eliz.* *Richard Coke*, a Parlement member, being served with a *subpœna* of Chancery: The Lord Keeper boldly answer'd,

swer'd, that he thought the House had no such privilege against *subpœnas*, as they pretended: Neither could he allow of any precedents of the House used in that behalf, unlesse the House of Commons could also prove the same to have been likewise allowed, and ratified by precedents in the high Court of Chancery.

Now, the Original writ for Election, which is the foundation of the whole business, makes mention of no such privilege, and 'tis a rule that to vary from the meaning of the Writ makes a nullity of the cause, and the proceedings thereupon: For where a Commissioner exerciseth more power then is warranted by his Commission, the act is not only invalid but punishable.

Now the end and scope of privileges of Parlement, is not to give power to do any public act not warranted by the writ, but they are intended as helps only to enable the members towards the performance of their duties, and so are subservient to the power comprized in the Writ; For instance, the freedom from Arrests doth not give any power at all to the House of Commons to do any extraordinary act thereby, but the Members are made the more capable to attend the public service by being

ing free from the trouble of arrests; so that this privilege giveth no further power at all, but only helps to the execution of the power derived from the Royal writ; Nor can the Freeholders by their Elections give any such privilege of exemption from arrests, but it is the meer gift, and grace of the Soveraign Prince, yet in point of treson, selony or breach of the Kings peace this privilege extends not; Now privileges are things contrary to law, or at least they serve as a dispensation against law, intended originally for the better expediting of the Kings businesse, or som public service.

Nor could the House of Commons punish any for breach of this their privilege till they had confer'd with the Lords, and till the punishment had been referred by them to the Commons; there is a notable example hereof in the 33. of *Henry* the eight, *George Ferrers* the Kings servant and Burgesse of *Plymouth* going to Parlement, was arrested by proces out of the Kings Bench for debt; which being signified to Sir *Thomas Moyl* then Speaker, the Sargeant that attended the House was sent to the Counter to demand *Ferrers*, The officers of the Counter refuse to deliver him, and giving the Sargeant ill language a scuffle

scuffle happened; the Sheriff of *London* being sent for took part with the Counter, and so the Sargeant return'd without the prisoner; This being related to the House of Commons they wold sit no longer without their member, and desiring a conference with the Lords, Sir *Tho. Audley* then Chancellor, and the rest judged the contempt to be very great, and *referred the punishment* thereof to the House of Commons it self.

Concerning liberty or freedom of speech which is held another privilege of Parlement; There is a speech of Sir *Thomas Moors* upon record, who being chosen Speaker, 14° *Henry* the eight, *He first disabled himself*, and then petition'd the King in the behalf of the House, *That if in communication and resoning any man shold speak more largely then of duty he ought to do, all such offences shold be pardoned*, which was granted and entred upon record. In which petition it is observable, that liberty or freedom of speech is not a power for men to speak what they will or please in Parlement, It is a privilege only not to be punished, but pardoned for the offence of speaking more largely then in duty they ought to do; which in a right construction must be understood of rash, unadvised, ignorant

rant, or negligent escapes, and slips in speech, not for wilful, malitious, much less for *tresonable* speeches; And then the Kings pardon was desired to be upon record that it might be pleaded at bar to all actions.

There is a speech upon record in Queen *Elizabeths* time, wherein the Commons were warn'd not to meddle with the *Queens Person, the State, or Church-government.*

Polyander.

I have heard of divers traverses that happened in the raign of that popular and long-liv'd Queen which trenched as much, if not more upon the privileges of Parlement, and the liberties of the peeple, then any that happen'd in the raign of the two last Kings.

Philanglus.

It is very true, and I will give you some instances drawn from good authentic records: 23. *Elizabeth*, Mr. *Paul Wentworth* moved in the House for a public fast, and for a Sermon every morning at seven a clock before the House sate: The House hereupon was divided, 100 were against it, and 150 for it, and so an order passed accordingly; The Queen being told hereof sent a message to the House by her Vicechamberlain; *That her Highnesse had great admiration of the rashnesse of the House in committing such an apparent contempt of her expresse command,*

as to put in execution such an innovation without her privity or plesure first known. Thereupon Mr. Vicechamberlain moved the House to make an humble *submission to her Majesty, acknowledging the said offence and contempt, and to crave remission for the same, with a full purpose to forbear the committing of the like hereafter*: So by the Suffrage of the whole House, Mr. Vicechamberlain carryed their submission to the Queen accordingly.

35° *Elizabeth*, Mr. *Peter Wentworth*, and Sir *Henry Bromley* delivered a Petition to the Lord Keeper desiring the Lords of the Upper House to be suppliants with them of the Lower House unto her Majesty for entayling the succession of the Crown, whereof a Bill was ready drawn. The Queen was highly displeased herewith, and charged her Councel to call the parties before them, so Sir *Thomas Henage* was sent to fetch them; so they were first commanded to forbear going to the House, and not to go out of their several lodgings; afterward they were called before the Lord Tresurer, Lord *Buckhurst*, and Sir *Tho. Henage*: *Wentworth* was committed to the Tower, and *Bromley* to the Fleet, together with Mr. *Stevens*, as also Mr. *Welch* Knight for *Worcester-shire*.

The Queen sent a notable check to the

House of Commons 28. of her raign for choosing and returning Knights of the Shire for *Norfolk*, a thing impertinent for the House to deal withall, and belonging only to the office and charge of her Chancellor from whom the Writs issue and are return'd.

In one Parlement, when Mr. *Coke*, afterwards Sir *Edward Coke*, was Speaker, the Queen sent a Messenger or Sargeant at Arms into the House of Commons, and took out Mr. *Morris* and committed him to prison, with divers others, for some speeches spoken in the House; Thereupon Mr. *Wroth* moved the House that they wold be humble sutors to her Majesty, that she wold be pleased to enlarge those members of the House that were restrain'd, which was done accordingly; and answer was sent by her Privy Councel, That her Majesty had committed them for causes best known to her self, and to presse her Highnesse with this suit wold but hinder the whole good they sought: That the House must not call the Queen to an account for what she doth of her Royal authority; That the causes for which they are restrain'd may be high and dangerous; That her Majesty liketh no such questions, neither doth it becom the House to search into matters of that nature.

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The Commons were told 39 *Elizabeth*, that their privilege was *yea* and *no*; And that her Majesties plesure was, that if the Speaker perceived any idle heads, which wold not stick to hazard their own estates, but meddle with reforming the Church, and transforming the Common-weal by exhibiting bills to that purpose, the Speaker shold not receive them till they were view'd and considered by those who are fitter to consider of such things, and can better judge of them; Moreover the Queen rejected 48. bills which had passed both Houses in that Parlement.

The House of Commons by their Speaker 39 *Elizabeth*, complain'd of som *Monopolies*, whereupon the Lord Keeper made answer in her Majesties name, That her *Highnesse hoped her dutiful and loving subjects wold not take away her Prerogative, which is the chiefest flower in her Garland, the principal and head Perl in her Crown and Diadem, but that they will rather leave that to her own disposition.*

Sargeant *Heal* said 43° *Elizabeth* publiquely in Parlement, that *He marvailed the House stood either at the granting of a Subsidy or time of payment, considering that all we have is her Majesties, and she may lawfully at her plesure take it from us, in regard she had as much right to all our lands and goods, as to any revenu of*

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the Crown, and he said he could prove it by precedents in the raign of Henry *the third, King* John, *and King* Stephen. This speech agrees with that which Sir *Edward Coke* hath in his *Instituts*, where he saith positively, that *The first Kings of this Realm had all the lands* of *England* in Demesne, and the great Manors and Royalties they reserved to themselfs, and enfeoffed the Barons of the remnant for the common defence of the Kingdom.

There was a remarkable passage happen'd in the raign of *Henry* the fourth, The House of Commons Petitioned the King that they might have advice, and communication with certain Lords about matters of businesse in Parlement for the common good of the Kingdom, which prayer as the record hath it, Our Lord the King graciously granted, but with this Protestation, *That he did it not of duty, nor of custom, but of his special grace.* So our Lord the King charg'd the Clerk of the Parlement that this Protestation shold be entred upon record in the Parlement roll. This the King made known to them by the Lord *Say*, and his Secretary: who told them that *Our Lord the King neither of due, nor custom ought to grant any Lords to enter into communication with them of matters touching the Parlement, but by his special*

special grace at this time he granted their request in this particular; And the said Steward and Secretary brought the King word back from the Commons, *That they knew well they could not have any such Lords to commune with them of any businesse of Parlement without special grace, and command from the King himself.*

Polyander.

But is it not the privilege of Parlement to examin misdemeanures of Juridical Courts, and Officers of State according to *Lex Repetundarum*?

Philanglus.

This cannot be call'd properly a privilege, for ther is not the meanest subject, but hath liberty on just cause to question any Court or Officer, if he suffer by them; yet it hath been esteemed a great favor from the Prince to permit such examinations; for we read that when the Lords were displeased with the greatnesse of *Piers Gaveston*, 'tis said, that in the next Parlement, The whole Assembly *obtained leave* of the King to draw Articles of their grievances, which they did, two whereof were; That all strangers should be banish'd the Kingdom (whereof *Gaveston* was one,) The second was, that businesses of State should be treted by the Clergy and Nobles.

Polyander.

Polyander.

Though the Cognisance and debatings of great affairs of State, belong to the high Court of Parlement, yet I have read that often times the Lords have transmitted such businesses to the Kings *privy Councel.*

Philanglus.

'Tis a great truth, and many instances might be produc'd for proof therof; Among others, when one *Mortimer*, who stil'd himself Captain *Mend-all* (otherwise call'd *Jack Cade*) came with a rabble of the vulgar with a Petition to the lower House, the Commons rent it up to the Lords, and the Lords transmitted it to the Kings privy Councell to consider of.

Polyander.

But the granting of *Subsidies* is a peculiar privilege of the House of Commons.

Philanglus.

I think not, for it is an unquestionable truth, that Subsidies were rais'd, and payed before ever the Commons were call'd to sit in Parlement; The great and long Subsidy of *Dane-gelt* was without any gift of the Commons, or of any Parlement at all as can be prov'd. *Henry* the third impos'd a Subsidy of two Marks in Silver upon every Knights Fee only by the advice of his Councell. The words of the King when

when he passeth the Bill of Subsidy are observable, which are these: *Le roy remercie ses loyaux Subjects, accept leur benevolence, & aussy ainsi le veult*, The King thanks his loyall Subjects, accepts of their good will, and *also will have it*; which last words make the Act of Subsidy a *Law*, and so binds every man to the payment of it; Insomuch that the Parlement cannot impose a peny upon the Subject without the King, nor can the Free-holders whom they serve invest any such power in them: But for the Soverain Prince himself, there are a world of examples old and new, how he hath not only raised pecuniary sums in *specie*, but laid Impositions upon Commodities by meer Royall authority; I shall instance only in two, *viz.* in Queen *Mary*, and Queen *Elizabeth*, the first layd an Imposition upon *Cloth*, and *Gascon Wines*; the other upon *Sweet Wines* and *Allome*, sans Parlement.

Polyander.

I find by the substance of your discourse, that not only all power and grace, but all Parlementary privileges flow from the concession of the Soverain Prince, and chief Magistrat.

Philanglus.

Yes, without controversie you know (as a Gentleman wittily observes) 'tis an axiom

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in Philosophy, *quod dat formam*, That that which gives the form, gives the consequence of the form; The King by his Writ gives the very essence, and form to the Parlement, being the production of his breath, therfore *privileges* which are but consequences of the form must necessarily proceed from him.

In the 21 of King *James*, a Declaration was sent from *New-Market* to the Parlement wherein he asserts; *That most privileges of Parlement grew from precedents, which shew rather a* toleration *than an Inheritance, therefore he could not allow of the style they used to him, calling it their ancient and undoubted Rights and Inheritance, but could rather have wished they had said, their privileges were derived from the grace and permission of his Ancestors and Himself.* Thereupon he concludes, that *He cannot with patience endure his Subjects to use such Antimonarchicall words concerning their* liberties, *except they had subjoyned they were granted unto them by the grace, and favour of his Progenitors; yet he promiseth to be carefull of whatsoever privileges they enjoy by long custom, and incontrolled lawfull precedents.*

At the presentment of the Speaker of the House of Commons to the King upon the first day of Parlement, the Speaker in the name and behoof of the Commons humbly craves that his Majesty wold be pleased graciously

ciously to *grant* them their accustomed liberties and privileges, which petition of theirs is a fair recognition of the primitive grace and favour of the Soverain Prince in bestowing of *Privilege*, and is a shrewd argument against any other title. For our Antecessors wold not have bin so ceremonious, nor so full of complement as to beg that of *grace*, which they might have claymed *de jure* by right: And the renewing of this Petition at the beginning of every Parlement, argues the grant to be but temporary.

Polyander.

This was not the Doctrine it seems, of the late long Parlement, whose *privileges* flew so high that they ore-topped not only the Royal Prerogative, but all the Tribunals of Justice, for they drew the reigns of all *Rule* and *Reason* into their hands, and left the *Governor* in chief neither of them; And if he chanced to send them any advice or admonition, whereof many of his Declarations consisted, 'twas presently cryed up to be *breach of privilege, breach of privilege.*

But Sir, by the sequel of our former discourse, I find that the *High Court or Common Councel* of this Kingdom was compos'd at first of *Prelats* and *Peers*, that *Parlement* is but a modern *French* word, and came in *after* the *Norman* Conquest; I find also that *making*

king the Commons a House, that *Magna Charta*, and *Charta de foresta*, were not free *Spontaneous* Grants, but that they were in a manner extorted from Kings in times of necessity, and confusion; I find also that the Primitive and ordinary way of Government was in one supreme Magistrat alone, with his Councel of State, and when he pleas'd, by the Common Concel; But now Sir, I pray be pleas'd to acquit your self of the promise you did me the favor to make, of acquainting me with the proceedings of the late long Parlement.

Philanglus.

To do that, I will deduce matters from the beginning, and to find them out we must look North-ward, for there the fatal cloud of all our ensuing confusions began to condense first. And never was that old Proverb more visibly fulfill'd,

Omne malum nobis ex Aquilone venit.

From the cold *North*,
All ill comes forth.

You know Sir, the *Scots* Nation were ever used to have their King personally resident among them at home, and though King *James* by reson of his Age, bounty, and long breeding there, with other advantages, drew such extraordinary respects from them, that

that they continued in a good conformity all his Reign, yet after his death they were often over-heard to mutter at the remotenes and absence of their King, and that they should now become a kind of *Province* truckling under *England*, by reson of such a distance from the Royall Court: Moreover some of their Nobles and Gentry found not at the *English* Court, nor at the late Kings Coronation in *Edenburgh*, that countenance, familiarity, benefit and honours which they expected: And 'tis too well known who *He* was that having got some wealth in the *Swedish* wars, and being denyed to be Lorded, took a pet and went hence discontented to his own Country. These discontented parties tamper'd with the mercenary preach-men up and down *Scotland* to obtrude and *hold out* to the peeple what Doctrines were put into their mouths by their Lay Patrons, so that the Pulpits every where rung of nothing but of Invectives against certain obliquities and Solœcismes, and I cannot tell what, in the present Government, and many glances they had upon the *English* Church. Yet all this while there was not matter enough for an insurrection, nor to dispose the peeples hearts to a mutiny, untill by the policy of the said discontented party, the *English Liturgy* was

 sent

ſent thither. This by the incitement of thoſe fiery Pulpiteers, was cryed up to be the greateſt Idol that poſſibly could be brought into their *Kirk*, inſomuch that when it was firſt offered to be read, the women and baſer ſort of mechanicks threw ſtools at the Biſhops heads in the *Kirk*, and were ready to tear them in peeces: And here began the firſt ſtorm.

The King having notice hereof ſent a Proclamation, ſignifying, that whereas he had recommended that Book of Common Prayer to be practiſed among them, whereby his other two Kingdoms, and he himſelf ſerved God Almighty twice a day, he did it only out of a deſign to eſtabliſh an uniformity of publick Divine ſervice in all his Dominions, ſpecially in that his native Countrey. But ſince it had produced ſuch dangerous effects, he was contented to revoke it abſolutly; It never being his purpoſe to *preſs* the practiſe of the ſaid book upon the conſcience of any, for he did only *commend*, not peremptorily *command* the uſe of it. Therefore he exhorted, and required that every one unto whom it had given any ſcandall, ſhould return to his former obedience, and ſerve God as he was wont, offering therewith a generall Pardon, and to paſſe an Act of *Amneſtia* for the abolition of all offences paſſed.

Polyander.

Polyander.

And wold not this ſuffice? In naturall motions we find that the cauſe being taken away, the effect ceaſeth, and will not this rule hold in civil Commotions?

Philanglus.

It ſeems not, this wold not ſerve the turn, but there was a further reach in it, and to take the advantage of fiſhing in theſe troubled waters: You know the *Scots* ſince their ſingle Lion came to quarter with our *three*, have bin much heightned in their ſpirits, more reſpected, employed, and truſted abroad, more elevated in their reſolutions and aims, they grew rich, for you have heard of a Silver Mine that reached from the Exchequer in *Weſtminſter* to *Edenborough*: And I beleeve you have not forgot *Boccolines* ballance, wherein *Lorenzo de Medici* was appointed by the Oracle at *Delphos* to weigh all the States of *Chriſtendom*, and throwing *England* into the Scales to counterpoiſe *France*, you know how much he made her to weigh leſs by the addition of *Scotland*.

Polyander.

I beleeve we had been better without this addition, for the union 'twixt *Scotland* and *England* may be ſayd to be a mixture of Vinegar with Oyl, and you know what a corroding hungry thing the firſt is.

 Philanglus.

Philanglus.

To resume my discourse, the former Proclamation, though it breathed nothing but grace, wold not suffice the *Scots*, but having an *Inch* given them they wold take an *Ell*, and nothing wold serve their turn but an utter extirpation of *Episcopacy*, for by trampling the Miter under their feet, they hoped to have some of the Birds plumes, being plucked to feather their own Nests, and they brought their work about: Good Lord, what a deal of dirt was thrown into the Bishops faces by every rural petty Clerk? what infamous Ballads were sung up and down? what a thick Cloud of Epidemicall hatred hung suddenly over them, so far that a white *Dog* with a black neck or spots, was called *Bishop* amongst them.

The chiefest contrivers of this uproar, finding their design to sadge so well, and perceiving the Country to be so eagerly bent against Bishops (and what Artifices and suggestions were used to render them so odious, is incredible,) But finding withall the King unwilling to alter the Government his Father had left him, and to which he had been sworn at his Coronation; They put themselves in Arms, and rais'd forces to beat down the Miter with the *Sword*, if the *Scepter* would not do it. To the *English*

English frontiers they marched with a numerous Army, pretending they came as Petitioners, but they brought their Petition upon the pikes point. Hereupon the King raised a Counter Army, and marched as far as *Berwick*, but some of the great ones about him grew cold in the Action, so a pacification was shuffled up, and I think it was the most dishonourable that ever *England* made.

Polyander.

I could have wished two things, that either the King had then given them Battell, having the flowr of his Nobility and Gentry about him, who I understood came with all promptitude and cheerfulnes to the service; or else that after the *Pacification* he had with a royall freedom, and a commanding confidence gone amongst them in person to hansel their new Parlement-house at *Edenburgh*, for in all probability this cours might have averted those showers and Cataracts of miseries which fell upon him afterwards; but I pray Sir proceed.

Philanglus.

Hereupon a Parlement was summond in *England*, a Parlement do I call it? it was rather an Embrio of a Parlement, a kind of Ephemeran thing. In this short sitting the King declared to both Houses the indignities

ties he had received from his *Scots* Subjects, and therefore he proposed a supply to be made of twelve Subsidies to suppress that rebellion, and in lieu thereof, he was willing to forbear, and utterly to abolish the Ship-money, which he had reson to think legal, being advised thereunto by *Noy* his Attorney General, who was cryed up to be so great a Clerk in the Law, yet he wold not rest there, but he advised further with his learned Councel of the Sargeants at Law and others, who concurred in opinion with *Noy*; nor would he rest there, but he had the approbation of all the Judges singly, and afterward of the major part of all the twelve upon a leasurely debate; this he thought sufficient to induce his conscience to hold the thing legal; It was proved that the moneys levyed that way were employed to the right use and no other, *viz.* to the garding of the narrow Seas, and to preserve the Right of his Dominion in them (being the fairest flower of his Crown) which was not only discoursed of abroad, but the French Cardinal was over-heard to question his right that way. And touching the danger that hung over *England*, he alleged, how cold *England* but be in apparent danger, considering how all her Neighbors about her were in actual hostility, which made huge Fleets

Fleets of men of War, both *French*, *Dunkerkers*, *Hamburgers*, and *Hollanders*, to appeer ever and anon in her channel and hard before her Royal Chambers. He declared further, that not one peny of that public contribution came to his privat Coffers, or was given to any Favorite, but he added much of his own treasure for the maintenance of a Royal Fleet abroad every Summer; yet he was redy to pass any Bill for the abolishing of the said Ship-mony, and redressing of any grievance besides, provided his Parlement would enable him to suppress and chastise the *Scot*. Some say the House was inclinable to comply with the King, but, as the ill spirit wold have it, that Parlement was suddenly broke up, and it had been better for him that they who gave him that councel had been then in *Arabia*, or beyond the line, in their way to *Madagascar*, yet those men were of high request in the long Parlement afterwards.

The King being reduced to such straights, and resenting still the insolence of the *Scot*, proposed the business to his Privy Councel, who suddenly made a considerable sum for his supply, whereunto divers of his domestick servants did contribut; Among others who were active herein, the Earl of *Strafford* bestirred himself notably, who having got a Parle-

Parlement to be call'd in *Ireland*, went over, and with incredible celerity raised 8000 men, and procur'd money of the Parlement there to maintain them. An Army was also levied here which marched to the *North*, and there fed upon the Kings pay a whole Summer.

The *Scot* was not idle all this while, but having punctual Intelligence of every thing that passed at Court as far, as what was debated in the Cabinet Councel, or spoken of in the Kings Bed-chamber, (where, of the six grooms, five were *Scots*) which was a great advantage unto him, He armed also, and preferring to make *England* the Stage of the War rather than his own Countrey, and to invade rather than to be be invaded, he got ore the *Tweed*, where he found the passage open, and as it were made for him all the way till he came to the River of *Tine*: And though there was a considerable *English* Army of Horse and Foot at *Newcastle*, yet they never offer'd to face the *Scot* all the while. At *Newburg* there was indeed a small skirmish, but the *English* Foot wold not fight; so *Newcastle* Gates flew ope to the *Scot* without any resistance at all, where 'tis thought he had more frends than foes, for all Presbyterians were his Confederats.

The King being advanc'd as far as *York*, summond

summond all his Nobles to appeer, and advise with in this Exigence, Commissioners were appointed on both sides, who met at *Rippon*, and how the hearts and courage of som *English* Barons did boyl within their breasts to be brought to so disadvantagious Trety with the *Scot*, you may wel imagine: so the Trety began, which the *Scot* wold not conform himself unto, unless he were first made *Rectus in Curia*, and the Proclamation wherein he was call'd Traytor revokd, alleging how dishonorable it wold be for his Majesty to trete with Rebels. This Trety was then adjournd to *London* where the late long Parlement was summond.

Polyander.

Truly Sir, I must tell you, that to my knowledge those unhappy traverses with the *Scots* made the *English* suffer much abroad in point of *National* repute; But in this last Expedition of the *Scot*, *England* may be said to have bin bought and sold, considering what a party he had here in Court and Country, specially in the City of *London*. Therefore his coming in then may be call'd rather an *Invitation* than an *Invasion*: as may be said of the *Swed* also lately in *Poland*.

Philanglus.

The *Scot* having thus got quietly into a Town

Town he never *took*, and nested himself in *Newcastle*, Our late long long Parlement began at *Westminster*: Being conven'd, the King told them that he was resolv'd to cast *himself and his affairs wholy upon the affection and fidelity of his people, whereof they were the Representatives; Therefore he wished them to go roundly on to close up the ruptures that were made by that infortunat War, and that the two Armies one* English, *the other* foren, *which were gnawing the very bowels of the Kingdom might be both dismissed: Touching grievances of all natures he was ready to redress them, concerning the* Shipmoney *he was willing to pass a law for the utter abolition of it, and to cancel all the enrollments, therefore he wish'd them not to spend much time about that: For Monopolies, he desired to have a List of them, and he wold damn them all in one Proclamation; Touching ill Counsellors either in* White-Hall, *or* Westminster-Hall, *either in Church or State, he was resolved to protect none; Therefore he desired that all jealousies and mis-understandings might vanish, and so concluded with this caution, That they wold be careful how they shook and disjointed the frame of an old setled Government too much, in regard 'twas like a Watch, which being put asunder, can never be made up again if the least pin be left out.*

This

Thus at the beginning of the Parlement there were great hopes of *Fair weather* after that cold Northern *Storm*, and that we shold be rid of the *Scot*, but that was least intended till som designes were brought about; The Earl of *Strafford*, the Archbishop of *Canterbury*, the Judges, and divers other are clap'd up, and the Lord Keeper *Finch* took a timely *flight* t'other side of the Sea, with others. And in lieu of these, the Bishop of *Lincoln* is enlarged, *Bastwick*, *Burton* and *Pryn*, who were strong Presbyterians, were brought into *London* with a kinde of *Hosanna*.

Polyander.

Is it possible that the lenity of the King shold be such as to yeeld to all this?

Philanglus.

Yes, and to comply further with them, he took as it were into his bosom, I mean he admitted to his privy Councel, such Parlement Lords who were held the greatest Zelots among them; The Lord *Say* was made Master of the Court of Wards, the Earl of *Essex* Lord Chamberlain, *&c.* Moreover to give a further evidence how firmly he was rooted in his Religion, and how much he desired the strengthing of it abroad, the Trety of mariage went on twixt his eldest Daughter and the Prince of

Orenge;

Orenge; Hereunto may be added as a special Argument of compliance, the passing of the Bill for a *Triennial* Parlement, and lastly he was brought to passe the *Act of Continuance*, which prov'd so fatal unto him.

Polyander.

Touching the *Triennial* Parlement, I heard of a Prophetic mistake that came from a Lady of honor, who sending news that time to the Countrey, did write, that the King had pass'd a Bill for a *Tyrannical Parlement*, whereas she should have said *Triennial*; And touching the Act of Continuance or perpetual Parlement, I heard a tale of *Archy* the fool, who, being asked whether the King did well in passing that Bill, answered, *that he knew not whether the King was the greater Fool to grant it, or they the greater knaves to ask it.* But the saying of the late Earl of *Dorset* is remarkable, who saluted the King the next morning with the stile of *fellow Subject*, in regard that by that grant he had transferred both *Crown, Sword and Scepter* to the Parlement, for now we may say, that *England* hath four hundred and odd Kings in her: But 'tis observed, that Princes of a hard destiny do follow the worst Counsells; But Sir, in lieu of these monstrous Acts of Grace and trust, what did

did the Parlement all this while for the King?

Philanglus.

They promised, specially upon the passing of the last Act, that they wold make him *the most glorious, the best belov'd, and richest King that ever reigned* in *England*, which promise they voted, and confirmed with the deepest protests and asseverations that could be. And hereunto, that the Earl of *Strafford* was passed over unto them, who after a long costly tryal was condemn'd to the Scaffold, and so made a Sacrifice to the *Scot*, (and them) who stayed chiefly for his head.

Polyander.

Touching the Earl of *Strafford*, 'tis true, he was full of ability, courage, and Elocution, yet I heard his wisdom question'd beyond Sea in divers things. First, that having a charge ready against his chiefest Accusers, yet he suffer'd them to take the start of him, and have priority of sute, which if he had got, he had thereby made them parties, and so incapable to proceed against him; Secondly, that during the time of his tryal, he addressed not himself with that compliance to his *Jury* as well as to his *Judges*, for he was observ'd to comply only with the *Lords*, and slight the House of Commons;

 Lastly,

Lastly, that knowing he had both Parlement and *Scot* his enemies, as also the *Irish*, he wold not go aside a while, and get beyond Sea (which he might have easily don from *York*) in lieu of comming up to *London*.

Philanglus.

I beleeve his death was resolv'd upon before his comming from *York*, if not by ordinary way of justice, yet by way of public expedience, which appeers, in regard the proceedings against him, was by a clause in the Act *not to be produc'd for a leading case, or example to future ages, and other inferior Courts.* Good Lord, how the rabble of the City thirsted after his bloud! who were conniv'd at, and countenanc'd by Parlement it self to strut up and down both before *White-Hall* and *Westminster-Hall*, where they cryed out, that if the *Common* Law faild, *Club* Law shold knock him down; nay, their insolency was permitted to swell so high, that they demanded the names of those Lords who wold not doom *Strafford* to death.

Polyander.

Is it possible that the grave and solemn high Court of Parlement shold permit such popular insolencies to be committed under their noses?

Philanglus.

Philanglus.

Yes, and notwithstanding, that the Lords did often solicit the House of Commons to take a cours for suppressing them, yet it was not hearkned unto; nay when the King had commanded a double gard of Constables and Watch-men (which is the usual way by law) to attend at *Westminster-Hall*, for suppression of such disorders, the Commons cryed out that it was a *breach of the privileges of the House*, and a trenching upon their liberties; so they took afterwards a band of Soldiers of their own election to gard them, which was never known before, but was point blank not only against the Royal prerogative, but the very fundamental laws of the Land.

Polyander.

Me thinks that the Earl of *Strafford* being gone, fair weather shold have followd, he who was the cause of the tempest being thus thrown over-board.

'Tis true, the *Scots* were dismiss'd a little after, having had *Fidlers* fare, *Meat*, *Drink*, and *Money* for eleven Months together in *England*, with *Straffords* head to boot. So the King prepar'd to go for *Scotland* according to Articles, to *hold* a Parlement there;

 This

This fill'd the House of Commons with odd kind of jealousie, therefore they cast about how to prevent the journey; so they did beat their brains night and day about it, so far that they sate upon Sunday in debate, but with another proviso, that it shold not be made *a Precedent for future ages*, as the other *Caveat* was for their proceedings against the Earl of *Strafford*. Well, the King went to his *Scots* Parlement, where he fild every blank, for they did but *ask* and *have* every thing they demanded. He granted them what possibly they could *propone* in point of governing, both for *Kirk* and *State*, many receiv'd new honors, they made havock, and divided all the *Bishops* Lands amongst them; for all which unparalleld concessions and Acts of grace, as an argument of gratitude, they causd an Act (though already in force) to be publish'd and reviv'd, *That it shold be detestable, and damnable treson in the highest degree that could be, for any of the* Scots *Nation conjunctly or singly to levy Arms, or any Military forces upon any pretext whatsoever, without the Kings Commission*; but how the *Scot* observed this solemn Act afterwards, the World knows too well.

During the Kings being in *Scotland*, that formidable hideous Rebellion in *Ireland* broke

broke out; which the *Irish* impute to the *English* Parlement, First, in regard that one of their accusations against *Strafford* was that he used the Papists in that Kingdom too favourably; Secondly, for the rigorous proceedings intended by the said Parlement against the *English* Catholicks; Thirdly, for design the *English* Parlement had to bring the *Dutch*, and the *Scot* to plant in *Ireland*, the last of whom the *Irish* do hate in perfection above all other Nations; and Lastly, the stopping of that *Irish* Regiment of cashéered Souldiers, which the King promised by *royal* word and *letter* to the King of *Spain*, which Regiment lying upon that employment that was denied them afterwards by order from the *English* Parlement, rather than to begg, steal, or starve, they turn'd Rebels, and so broke out into that desperat Commotion.

Polyander.

Indeed, I heard that Act of staying the *Irish* forces much censur'd abroad, to the dishonour of the King of *England*, and reproach of the Parlement, considering how the Marquis *de Velada*, and *Malvezzi*, and *Don Alonzo de Cardenas*, who were all three Ambassadors here for the King of *Spain* at that time, having by dependence upon the sacred word, and Letter of a King, im-

 prested

prested money, and provided shipping for their transport, which came to a great charge; but I pray be pleased to proceed.

Philanglus.

The King having setled *Scotland*, was at his return to *London* received with much joy, but though he was brought with a kind of *Hosanna* into one end of the town, he found a *Crucifige* at the other; for at *Westminster* there was a *Remonstrance* fram'd, a work of *many weeks*, and voted in the dead of night, when most of the moderat, and well-minded members were retir'd to their rest; In which Remonstrance, with as much industry and artifice as could be, all the old moats in government were expos'd to public view from the first day of the Kings inauguration to that very hour.

Polyander.

How could this agree with the *Protestation* the House did make formerly to the King, to make him the best *beloved* that ever was? I thought that before his going to *Scotland* he had redressed all grievances by those Acts of grace you spoak of before.

Philanglus.

So he had, and he rested not there, but complied further with the House, by condescending to an Act for putting down the *Star-Chamber Court*, the *High Commission Court*,

Court, the Court of *Honor*, nay he was contented that his *Privy* Councel shold be regulated, and his *Forests* bounded not according to *ancient prerogative*, but *late custom*; Nay further, he passed a Bill for the unvoting and utter exclusion of the *spiritu-all* Lords from the Parlement for ever: Add hereunto, that having placed two worthy Gentlemen *Lieutenants* of the Tower, he remov'd them one after the other, to content the House, and put in one of their Election; Lastly, he trusted them with his *Navy Royal*, and call'd home at their motion Sir *I. Penington* who had then the gard of the narrow Seas.

Polyander.

I never remember to have heard or read of such notable Concessions from any King; but how came the Bishops to be so tumbled out?

Philanglus.

The City rable were still conniv'd at to be about *Westminster-Hall*, where they offerd some out-rages to the Bishops as they went into the House; hereupon they presented a Petition to the King and Parlement, that they might be secur'd to repair thither to discharge their duties according to the Laws of the Land: In which Petition for the preservation of their Right, there

 was

was an humble proteſt or *Caveat, that no Act ſhold paſſe, or be valid without them*; This Petition, both for matter and form was much excepted againſt, and cryed up to be high *Treſon*, ſo twelve of the old Biſhops were hurried to the Tower, which became a *Limbo Patrum* for the time; but ſom of the knowingeſt Lawyers being conſulted withall, whether this was Treſon in the Biſhops or no, they anſwered, that it might be call'd *Adultery* as much as *Treſon*: ſo after many moneths impriſonment, the charge of *Treſon* being declin'd againſt them, they were releaſed in the morning, but coop'd up again in the afternoon, then they were reſtor'd to a conditional liberty touching their perſons, but to be eternally excluded out of the Houſe, which made one of them in a kinde of Prophetic way, to tell one of the *Temporal Peers, My Lord, you ſee how we are voted out of the Houſe, and the next turn will be yours*, which prov'd true.

Polyander.

I remember when I was at *York*, a Gentleman ſhew'd me a fair old manuſcript of ſom things paſſed in *Henry* the 8ths time; and one paſſage among the reſt ſticks in my memory, how cardinal *Wolſey* being ſick at *Leiceſter*, the King ſent Sir *John Kingſton* to

to comfort him; to whom he anſwered, Oh! Sir *John*, 'tis now too late to receive any earthly comfort, but remember *my moſt humble allegeance to the King, and tell him this ſtory from a dying man*; *The* Bohemians *repining at the Hierarchy of the Church, put down Biſhops, but what followed? then the Comunalty inſulted over the Nobility, and afterwards the King himſelf was depos'd, ſo the Government grew a while to be meerly popular, but then it turn'd from a* Succeſſive *to be an* Elective *Kingdom; This ſaid he, will be the fate of* England *unleſs the King bear up the reverence due to the Church, and ſo I pray God that his Majeſty may find more mercy at the tribunall of Heaven, than I have upon that of Earth*; But pray Sir be pleas'd to proceed.

Philanglus.

The Parlement having the Navy at their diſpoſing, (which they found to be in an excellent equipage, gramercy *Shipmony*) and having choſen the Earl of *Warwick* Commander in Chief, notwithſtanding the King *excepted* againſt him, They demand all the Land Souldiers, and Military ſtrength of the Kingdom to be manag'd by them, and to be put in what poſture, and under what Commanders they pleas'd; But the King anſwer'd that he wold conſider of this, and it was the firſt thing that he ever denyed them,

them, yet at last he was contented to grant them this also *for a limited time*; but that wold not serve the turn: Hereupon growing sensible how they inch'd every day more and more upon the Royall *Prerogative*, He thought 'twas high time for him to look to himself: And intending with some of his meniall servants only to go to *Hull* to see a Magazin of *Ammunition* which he had bought with his own tresure, he was in a hostile manner kept out, the Gates shut against him, Canons mounted, Pistols cock'd and level'd at him, and there, the Kings party said, the Warre first began.

Polyander.

A hard destiny it was for a King to lose the love of so many of his subjects in that manner, and to fall a clashing with his great Councel; but, under favor, that demand of the Militia was somwhat too high: in regard that every soverain Prince, and chief Governor hath an *inherent* and inalienable right in the common strength of the Country, for though the peeples love be a good Cittadell, yet there must be a concurrence of some outward visible force besides, which no earthly power may dispose of without his command, and for him to transmit this power to any other, specially to any that he mistrusts, is the only way to render him in-

inglorious, unsafe, and despicable both at home and abroad; you know in the Fable when the Lion parted with his paws, and the Eagle with her talons, how contemptible the one grew among all beasts, and the other among all birds.

The *Scepter* and the *Crown* are but bables without a *Sword* to support them. Ther's none so simple as to think ther's meant hereby an ordinary single Sword, such as every one carryeth at his side, no, 'tis the *publick* Polemicall Sword of the whole Kingdom, 'tis an aggregative compound Sword, and 'tis moulded of Bell-metall, for 'tis made up of all the Ammunition and Arms small and great, of all the Military strength both by Land and Sea, of all the Forts, Castles, and tenable places within and without the whole Country: The Kings of *England* have had this Sword by vertue of their *Royall Signory*, as the Law sayth, from all times, the Prerogative hath girded it to their sides, they have emploid it for repelling of forren force, for revenging of all Nationall wrongs or affronts, for quelling all intestin tumults; The peeple were never capable of this Sword, the fundamentall constitutions of this Land deny it them; 'Tis all one to put a Sword in a mad mans hand as in the peeples; Nor under

under favor, can the ſupreme Governor transfer this Sword to any other, for that were to deſert the *protection* of his peeple, which is point blank againſt his Oath and Office; but I crave your pardon again that I have detain'd you ſo long from the pourſute of your former diſcours.

Philanglus.

The King being ſo *ſhut out* of one Town (I mean *Kingſton* upon *Hull*) he might ſuſpect that an attempt might be made to *ſhut him in* within ſome other; Therefore he made a motion to the *York-ſhire* Gentlemen to have a Gard for the preſervation of his Perſon, in imitation of the Parlement, who had taken a kind of choice *Prætorian* band many moneths before for their ſafe-gard, though without the Royall conſent: The *Northern* men came cheerfully to this ſervice; wherewith the Parlement being not well pleas'd, they interdicted all trade to *Newcaſtle*, and that might be call'd the ſecond cauſe of the war.

But I muſt make a ſtep back; when the King was return'd from *Scotland*, he retir'd to *Hampton* Court, yet upon the Lord Maiors and Cities ſolicitation, he came back to *White-hall*, to keep his *Chriſtmas*: But when the Bill againſt Biſhops was in agitation, which laſted above ten moneths, and was

was *twice caſt out* of the Houſe of Peers, a crue of bold ſturdy mechanicks, Mariners, and Tarpawlings came from the City, and ruffled again before *White-hall* and *Weſtminſter-hall*, and would have violated the *Abbey* of *Weſtminſter*, before the Parlements face, ſo that for many nights a Court of Gard was forc'd to be kept in the body of that Church.

The King finding ſuch diſtempers ſtill in the Parlement, and knowing the chiefeſt Authors of them whom he had impeach'd before, but cold get no juſtice againſt them in an ordinary way, though he had deſired the Parlement to direct him in a cours how to go on in the Empeachment in ſuch extremity, for deſperat diſeaſes requiring deſperat cures, He took the *Palſgrave* with him, and making uſe of the next Coach he met with at the Court gate, he went to the Houſe of Commons in Perſon to demand five Members, which he would prove to be Traytors in the higheſt degree, and to be the fomentors of all theſe diviſions, proteſting unto them upon the word of a King, that they ſhold have as fair and legall a Triall as ever men had; in the interim, he deſir'd only that their perſons might be ſecur'd; The Walls of both Houſes, and the very ſtones of *London* ſtreets did ſeem to ring

ring of this high carriage of the Kings, and the ſound thereof went far and neer into the adjacent Countries, whence the Plebeans (by incitement of ſome of the Members) came in whole heards to the City, and ſtrutting up and down the Streets, had nothing in their mouths but *privilege of Parlement, privilege of Parlement.*

Polyander.

Yet as I obſerv'd in your diſcourſes before, Queen *Elizabeth*, though ſhe was ſo popular, and ſuch a minion of Parlements, did the like, and far higher things. But now that you have given a touch of the *Palſgrave*, I remember a *Manifeſto* of that Parlement, which they paſs'd and publiſh'd in favor of his reſtitution, which was laugh'd and libell'd at in *Germany.*

Philanglus.

'Tis true, the King went in ſtate one day to the Parlement in his behalf, where he declar'd unto them the whole buſineſs, and becauſe he doubted that Sir *Thomas Roe* his Ambaſſador ſhold have but ſorry ſucceſs in the Diet which was then held in *Germany*, in regard he underſtood of an *Amneſtia* to come forth, whence the Prince Palatine was excluded, He deſir'd the two Houſes to joyn with him in a public *Manifeſto.* The Parlement did cheerfully approve here-

of,

of, praying that *Scotland* wold joyn with them: The *Manifeſto* conſiſted of two parts or proteſtations, one againſt all Acts whatſoever that ſhold paſſe in the Imperiall *Diet* in prejudice to the *Palatin*; The other, that the King and Parlement of Great *Britain* were reſolv'd to eſpouſe his quarrell; but this buſineſs was little thought of afterwards.

The King, as I told you before, having gone to the Houſe of Commons himſelf to demand thoſe Members, it happen'd none of them were there, but retir'd to *London* for refuge, the Houſe having had notice of the deſign from Marquis *Hamilton*, who was us'd to reveal unto them whatſoever was intended at Court.

Polyander.

It may well be ſaid then, that the infortunat King had greater Traytors *within* dores, then abroad; but it concern'd *Hamilton*, with *Holland*, and others to keep in with the *Houſe*, becauſe they were the chiefeſt *Monopolizers*; together with another Lord, who, in regard his ſon was ſo great a Zealot in the upper Houſe, was permitted to keep a kind of Office to compound for his corruption, and briberies, whereof there were above forty prov'd againſt him, yet he ſcap'd without any puniſhment at all, or leaſt mark of infamy.

Phi-

Philanglus.

Well Sir; The *Londoners*, as I told you, grew ſtark wild when they heard of this attempt of the Kings, and the Countrys about, ſpecially *Eſſex* and *Buckinghamſhire* men be-being incited by *Hamden* their Ring-leader, (who was kill'd afterwards upon the ſame turf of earth where he call'd the peeple together) came in great ſwarms to Town, and joyning with the City and *Suburbian* rabble, they brought the *five Members* the next day to the Houſe in a kind of triumph, being garded by water as well as by land by ſuch companions. A little after, ſundry Troops of Countrey horſe came, who inſtead of Feathers or Ribbands carryed a paper-*Proteſtation* in their Hats, as the *Londoners* had done a little before upon their Pikes point.

Polyander.

I heard much of the ſaid Proteſtation, but I pray oblige me to tell what it was.

Philanglus.

It conſiſted of many parts, being penn'd and enjoyn'd by the Parlement for every one to take; The firſt part *was to maintain the true Proteſtant Religion againſt all* Popiſh *Innovations* (*but no* other.) *The ſecond was to maintain the* Perſon, *Prerogative, and honour of the King.* The third, *The Privilege and power of Parlement.* And laſtly, *the propriety and liberty of the Subject.* Po-

Polyander.

Where was the King during all theſe popular Riots?

Philanglus.

Rather then expoſe himſelf to ſuch baſe indignities, and there being dark whiſpers of an attempt upon his Perſon, He retir'd to *Hampton-Court*, thence to *Windſor Caſtle*, whence he accompani'd the Queen, and his eldeſt Daughter to the Sea ſide for *Holland*, and having commanded the *Prince* to attend him at *Greenwich* againſt his return, the Prince had been ſurpriz'd, and brought to *London*, had the King ſtayed but a quarter of an hour longer: Thence he remov'd to *York*, where he ſojourn'd all that Summer: and among other things he ſent for his great *Seal* thither, which rid Poſt, and was pourſued by the Parlement, but not overtaken.

The King being ſetled at *York*, the Parlement ſtill move him to have the diſpoſing of the *Militia*, and not to be limited to any *time*, which he denyed, for he was loth to be diſarm'd, and part with his Sword; Therefore he put forth his Commiſſions of Array according to the old Law of *England*, which declares it to be *the undoubted Right, and Royall ſignory of the King, to arm or diſarm any Subject.*

The Parlement ſend out Counter-com-

 mands

mands for the executing the said *Militia*, so by this clash 'twixt the Commission of *Array* and the *Militia*, the chief flash of that cruel, and cruentous civil War may be said to have broke out. A close Committee was appointed at *Westminster*, which was mix'd of Lords and Commons, and I cannot tell how many Rurall, and subordinat Committees of mean mechanicall men, who stood higher a tip-toe in conventing Lords and Knights before them (*proh pudor*) than the Parlement members themselfs; An Admiral also was sent to Sea, against whom the King excepted.

Polyander.

That was strange, considering how oft the King had complied with them that way, having at their request remov'd two Lieutenants of the Tower, and taken one of their Election, having remov'd the Governor about his Son, and taken one of their choice, having remov'd Sir *Thomas Gleniham* from *Hull*, and nominated *Hotham*, *&c.*

Philanglus.

The *Presbyterians*, who had brought in the *Scots* Army before, and were the activ'st men in these distempers, cryed out that the whole Kingdom was like to be ruin'd by secret Plots and machinations; That there was a design to bring in the *Pope*, and to cast the

the civil Government into a *French frame*, &c. whereof they made the Pulpits to ring up and down; nor did the *Pulpit* only help to kindle this fire, but the *Press* also did contribut much thereunto, dangers and jealousies, and a kind of *superfœtation* of created fears did daily encrease in every corner, and as the Poet sings,

—*Traduntq; metus, nec poscitur Author.*

Polyander.

There be sundry sorts of fears; There are *Conscientious* Fears, there are *panick* fears, there are *pusillanimous* fears, and there are *politick* fears; The first proceeds from guilt of conscience, which turns oft to phrensie; The second fear may be call'd a kind of *Chymera*, 'tis som sudden surprizal or consternation proceeding from no true grounds; *Pusillanimous* fear makes a mountain of a Mole-hill, it proceeds from poverty of spirit, and want of courage, and is a passion of abject, and degenerous minds, and is call'd cowardize; *Politick* fear is a created forg'd fear wrought in another to bring som design about; And as we find the Astronomers (as is said elsewhere) do imagin such and such shapes and circles in the Heavens, as the *Zodiac*, *Equinoctiall*, *Colures*, *Tropiques*, and others, though there be no such things really in nature, to verifie and make their conclusions good; so the Statist doth

 often

often devise and invent imaginary fears to make his proceedings the more plausible, and therby to compass his ends. Or as the Sun useth to appear far bigger in the morning and evening, then at noon, when he is exalted to his Meridian, and the reson the Philosophers use to give is the interposition of the vapors and exhalations, which are in the lower Region of the aer through which we look upon him, (as we find a piece of Silver look bigger in a Bucket or Bason of water than els where) so the Politician useth to cast strange mists of fears, and fogs of jealousie before the simple peeples eyes, to make dangers seem bigger. It is observ'd that the *Torpedo* fish when he fears to be catch'd, useth to disgorge an Inky black froth, to puddle and darken the water that he may not be seen, and so avoids taking; so one trick of a Statist when he goes a fishing after some ends of his own, is to cast out before the eyes of the credulous vulgar strange mists, and apprehensions of fears and dangers, that they may scape in them if need be: But I pray deal cleerly with me, was there a design to bring in the Masse again, as the *Presbyterians* cryed out?

Philanglus.

The *Mass*! you may say there was a plot to bring in *Mahomet* as soon, to bring in the *Alcho-*

Alchoran, or *Talmud* as soon; yet I beleeve there was a pernicious plot to bring in a *new* Religion, but what Religion I pray? it was not *Popery* but *Presbytery*, and with it to usher in *Buchannan* and *Knox*, and so to cast our Church, and State into a *Scots* mould; Nor was it enough for those fatuous fiery *Scots* Kirkmen, and Parlementary preachmen in *England*, to traduce and belie their Soverain *Prince* at home, but malicious Informations, and that by Authority were sent to most of the Reformed Churches abroad, to asperse and brand him in this point; Whereupon issued out this following Royal *Manifesto*, in *Latin*, *French*, and *English*, (which businesse was manag'd by the care of the Author of this present Tretise) to disabuse and rectifie the world, and for the vindication of his Majesty herein.

CHARLES *by the providence of Almighty God, King of* England, Scotland, France *and* Ireland, *Defender of the Faith*, &c. *To all those who professe the true, Reformed, Protestant Religion, of what Nation, degree and condition soever they be to whom this present Declaration shall come, greeting.*

Whereas we are given to understand that many false rumors, and scandalous Letters are spred up and down amongst the reformed Churches

in forren parts, by the politique or rather the pernicious industry of some ill affected persons, that we have an inclination to recede from that Orthodox Religion, which we were born, baptized, and bred in, and which we have firmly professed and practised throughout the whole cours of our life to this moment, and that we intend to give way to the introduction and publick exercise of Popery *again in our Dominions: Which conjecture, or rather most detestable calumny, being grounded upon no imaginable foundation, hath rais'd these horrid tumults, and more then barbarous wars throughout this flourishing Island, under pretence of a kind of Reformation, which would not only prove incongruous, but incompatible with the fundamental Lawes and Government of this Kingdom; We desire that the whole Christian world should take notice, and rest assured, that we never entertain'd in our imagination the least thought to attempt such a thing, or to depart a jot from that holy Religion, which, when we receiv'd the Crown and Scepter of this Kingdom, we took a most solemn Sacramentall Oath to profess, and protect, nor doth our most constant practise and quotidian visible presence in the exercise of this sole Religion, with so many Asseverations in the head of our Armies, and the publique attestations of our Barons, with the circumspection us'd in the education of our Royall Offspring,*

Offspring, besides divers other undeniable arguments, only demonstrate this, but also that happy alliance of marriage, we contracted lately 'twixt our eldest Daughter, and the illustrious Prince of Orenge, *most clearly confirms the reality of our intentions herein, by which* Nuptiall *engagement it appears further, that our endeveurs are not only to make a bare profession thereof in our own Dominions, but to inlarge and corroborate it abroad, as much as lieth in our power: This most holy Religion of the* Anglican *Church, ordain'd by so many Convocations of learned Divines, confirmed by so many Acts of Nationall Parlements, and strengthned by so many Royal Proclamations, together with the Ecclesiastique Discipline and* Liturgie *thereunto appertaining, which Liturgy and Discipline, the most eminent of Protestant Authors, as well* Germans *as* French *as well* Danes *as* Sweds *and* Switzers, *as well* Belgians *as* Bohemians, *do with many Elogies, and not without a kind of envy, approve and applaud in their publique writings, particularly in the transactions of the Synod of* Dort, *wherein besides other of our Divines (who afterwards were Prelats) one of our Bishops assisted, to whose dignity all due respects and precedency was given; This Religion, we say, which our Royall* Father *of blessed memory doth publiquely assert in that his famous Confession addressed (as we also do this our* Protestation) *to all Christian Princes; This, this most*

 holy

holy Religion, with the Hierarchy and Liturgy thereof, we solemnly protest, that by the help of Almighty God we will indevour, to our utmost power, and last period of our life to keep intire and inviolable, and will be carefull, according to our duty to Heaven, and the tenor of the foresaid most sacred Oath at our Coronation, that all our Ecclesiastiques in their severall degrees and incumbences shall preach and practise the same; Wherefore we injoyn and command all our Ministers of State beyond the Seas, aswell Ambassadors *as Residents, Agents and Messengers, and we desire all the rest of our loving Subjects that sojourn either for* Curiosity *or* Commerce *in any forren Parts, to communicate, uphold and assert this our solemn and sincere* Protestation *when opportunity of time and place shall be offered.*

Polyander.

This sounds as a strong and thorough Vindication, but touching your compliances with the *Scot*, I must tell you that I heard the *English* much censur'd, and under-valued abroad for inslaving as it were their understandings and judgements in point of Religion to the *Scots*, whom they made Christians, and *Reformed* Christians first; And now for the *English* to run to them for a Religion, what a disparagement think you is it? But you spoke before of an Empeachment

peachment of high Treson the King had against the five Members, for which he desir'd only the benefit of the Law, I pray what was that Treson?

Philanglus.

The main charge of Treson that was intended to be exhibited against them, was the privat Intelligence, and combinations they held with a forren Nation, and to have been the prime Instruments of bringing in the *Scots* Army, which had don so much mischief to *England*, and was dismissed upon such inglorious terms, for besides the plunder they got, they had a vast sum of tresure to be gone; which was not the usual way that our Progenitors us'd in dealing with the *Scot*, for in former times *England* was wont to pay the *Scot* his Arrears (when he came to visit her borders) in another kind of mettall, *viz. with good Iron and Steel*, not with *Gold and Silver*, but she hath soundly reveng'd her self since for the insolencies of that hungry Nation: But to proceed,

The *Hierarchy*, and *English Liturgy* being voted down, there was a general liberty given to all consciences in point of Religion; The Taylor and Shoo-maker might have *cut out* what Religion they pleas'd; The Vintner and Tapster might have *broach'd*

broach'd what Religion they pleas'd; The *Druggist* and *Apothecary* might have *mingled* her as they pleas'd; The Haberdasher might have put her upon what *block* he pleas'd; The Armorer and Cutler might have *furbish'd* Her as they pleas'd; The Dier might have put what *colour*, the Painter what *face* they pleas'd upon Her; The Draper and Mercer might have *mesur'd* Her as they pleas'd; The Weaver might have cast Her upon what *Loom* he pleas'd; The Boat-swain and Mariner might have brought Her to what *Dock* they pleas'd; The Barber might have *Trimm'd* her as he pleas'd; The Gardner might have *Lopp'd* her as he pleas'd; The Black-smith might have *forg'd* what Religion he pleas'd. And so every one according to his profession and fancy was tolerated to form what Religion he pleas'd, as was observed elswhere.

Polyander.

Indeed I was told often beyond the Seas that the *Liberty of the Gospel*, and the *Liberty of the People*, wer the two things which wer mainly aim'd at, but how did the War begin?

Philanglus.

I told you before, that besides other causes the clashing of the *Militia*, with the Commission of *Array*, did put all things in dis-

disarray throughout the whole Kingdom, many Declarations came from the King, but they were prohibited at last to be published, and the Printers punished. A little after the Parlement voted an Army to take away ill Councellors from about the Kings person, and the Earl of *Essex* was appointed General, with whom they voted *to live and die*, to stand and fall.

Polyander.

Me thinks that Lord was not so proper for the service, in regard his Father before him lost his head upon the like occasion for offring to amove ill Councellors from about Queen *Elizabeth* by violence; but I beleeve he might have a privat quarrel of his own with the Court, in that his first *wife* was Articled, and sentenc'd away from him, and married to a *Scotch man* whom he much hated, in King *James* his time, who made a deep asseveration, that if any thing was amisse in that divorce, he wish'd it might light upon his own Soul; but I pray be pleas'd to go on.

Philanglus.

The King understanding that the Parlement did thus arm, he was told that it was not fit for him to be idle, so having levied som Forces in the North, he marched with them to *Nottingham*, where he set up and

and displayed the Royal Standard, but the Beam thereof by a gust of wind towards the evening was broke, which was held an ill augury.

Polyander.

I heard by som of those that were then on the place that the King had not 4000 effectif fighting men, when he put up his Standard, and the Parlement had an Army of above 15000 in a compleat body, and upon their march about *Northampton*, therfore I heard it censurd a great oversight in the *Parlement* that they did not inorder their General, to find out the King then at *Nottingham*, where he might have either taken him prisoner or forc'd him to fly with his little confus'd Army: but I pray poursue your discours.

Philanglus.

I must again step a little back, and inform you, as that Army of the Parlements was a levying, these Propositions were sent to the King, with a complemental Introduction, which because they are of a very high nature, I will particularly relate unto you, the preamble was this.

WEE

WEE your Majesties most humble and faithful Subjects, having nothing in our thoughts and desires more precious, and of higher esteem, next to the honor and immediat service of God, than the just and faithful performance of our duty to your Majesty and this Kingdom; And being sensible of the great distractions, and distempers, and of the imminent dangers, and calamities, which the said distractions and distempers are like to bring upon your Majestie and your Subjects, all which have proceeded from the subtile informations, mischievous practises, and ill councels of men disaffected to Gods true Religion, your Majesties honor and safety, and the public peace and prosperity of your peeple, After a serious observation of the causes of these mischiefs, We do in all humility and sincerity present to your Majesty our most humble Petition and advice, that out of your Princely wisdom for the establishing of your own honor and safety, and gracious tenderness of the welfare and security of your Subjects and Dominions, You will be pleased to grant and accept these our humble desires, and

Pro-

Propositions, as the most necessary effectual means through Gods blessing of removing those jealousies, and differences which have unhappily fallen twixt you and your peeple, and for procuring both your Majesty and them a constant cours of honor, peace and happiness.

1. *That those of your Privy Councel, and such great Officers and Ministers of State, either at home or beyond the Seas, may be put from about you, and from those Offices and employments, excepting such as shall be approved of by Parlement; And that the persons put into the places and employments of those that be remov'd, may be approv'd of by Parlement; And that all Privy Councellors shall take an Oth for the due execution of their places as shall be agreed upon by Parlement.*

2. *That the great affairs of the Land may not be concluded or transacted by the advice of privat men, or by unknown, and unsworn Councellors, but that such matters that concern the public and are proper for high Assemblies, which is your Majesties great and supreme Councel, may be debated, resolved, and transacted here, and no where else, and such as shall presume to to do any thing to the contrary, shall be reserved to the censure and judgement of Parlement; And such other matters of State, as are proper for your Privy Councel, shall be*

be debated, and concluded by such, as shall from time to time be chosen for that place by approbation of Parlement; And that no public Act concerning the affairs of the Land which are proper for your privy Councel, may be esteemed of any validity as proceeding from Royal authority, unless it be don by the advice and consent of the major part of your Councel; And that your Councel be limited to a certain number, not exceeding twenty five, nor under fifteen; And if any Councellors place happen to be void in the intervals of Parlement, it shall not be supplyed without the consent of the major part of the councel, which voice shall be confirmd at the next sitting of Parlement, or else to be void.

3. *That all the great Officers of State and civil Justice, as also your Secretaries, may be chosen with the approbation of Parlement, and in the intervals as formerly.*

4. *That He or they, to whom the Government, and Education of the Royal Issue shall be committed, shall be approv'd by Parlement, and in the Intervals as formerly; And that all such Servants which are now about them, against whom the Parlement shall have any just exception, shall be remov'd.*

5. *That no Alliance of any of the Royal Issue, by way of marriage, shall be concluded or treted with any foren Prince, or other person whatsoever, at home or abroad, without consent of Parlement, under*

under the penalty of a Præmunire *unto such as shall conclude or tret of any such Alliance; And the said penaltie shall not be pardond or dispensd with, but by consent of Parlement.*

6. *That the Laws in force against Papists be strictly put in execution without any toleration or dispensation to the contrary; And that some more effectual cours be enacted to disable them from making any disturbance in the State, or eluding the Law by trusts or otherwise.*

7. *That the Votes of all Papists in the upper House may be taken away as long as they continue Papists, and that such a Bill be drawn for the Education of their children in the Reformed Religion.*

8. *That your Majesty will be pleas'd to consent, that such a Reformation be made of the Church-government, as the Parlement shall advise of; and that your Majesty will contribute your best assistance for the raising of a sufficient maintenance for preaching Ministers throughout the Kingdom; And that your Majesty will be pleas'd to give your consent to Laws, for the taking away of Innovations and Superstition, and Pluralities, and against scandalous Ministers.*

9. *That your Majesty will be pleas'd to rest satisfied with that cours the Parlement hath appointed for ordering the Militia, until the same shall be further setled by Bill: And that your Majesty will recal your Declarations, and Proclamations*

tions against the Ordinance made by the Parlement concerning it.

10. *That such Lords and Gentlemen that are Members of the House, which have been put out of any place or Office, may either be restor'd, or have satisfaction for the same, upon the Petition of the Court, whereof he or they are Members.*

11. *That all Privy Councellors and Judges take Oth, the form wherof to be agreed upon, and setled in Parlement, for the maintenance of the Petition of Right, of certain Statutes made by this Parlement; And that an Inquiry of all the breaches and violations of those Laws may be given in charge by the chief Judges, to be presented and punished according to Law.*

12. *That all the Judges, and all the Officers plac'd by approbation of Parlement may hold their places,* quam diu se benè gesserint.

13. *That the Justice of Parlement may pass upon all Delinquents, whether they be within the Kingdom, or fled without it; And that all persons cited by either Court, may appeer and abide the censure of Parlement.*

14. *That the General pardon offer'd by your Majesty may be granted with such exceptions as shall be advis'd of by the Parlement.*

15. *That the Forts and Castles of the Kingdom be put under the command and custody of such as your Majesty shall appoint, with the approbation of your great Councel, and in the interval with*

the

the Major part of your privy Councel, as formerly.

16. *That the extraordinary gard, and Military forces now attending your Majesty, be remov'd and discharged, and that for the future, that you will raise no such Gards or extraordinary forces but according to the Law, in case of actual Rebellion or invasion.*

17. *That your Majesty will be pleas'd to enter in a more strict league with the* Hollanders, *and other Neighbour Princes and States of the Reformed Religion, for the defence and maintenance thereof against all designes and attempts of the Pope and his adherents, to subvert and suppress it, wherby your Majesty will obtain a great access of strength, and reputation, and your Subjects much encouraged and inabled in a Parlementary way for your aid and assistance in restoring the Queen of* Bohemia, *and her Princely Issue, to those Dignities and Dominions that belong to them, and releeving the other reform'd distressed Princes, who have suffer'd in the same cause.*

18. *That your Majesty will be pleas'd to cleer by a Parlementary Act those Members you have empeached, in such a manner, that future Parlements may be secur'd from the consequence of ill Presidents.*

19. *That your Majesty will be graciously pleas'd to pass a Bill for restraining Peers made hereafter, from sitting or voting in Parlement, unless they be admitted thereunto by consent of both Houses.*

And

And these our humble desires being granted by your Majesty, we shall forthwith apply our selfs to regulat your present Revenue in such sort as may be to your best advantage, and likewise to settle such an ordinary, and constant encrease of it, as shall be sufficient to support your Royal dignity in honor and plenty, beyond the Proportion of any former grants of the Subjects of this Kingdom to your Majesties Royal Predecessors; We shall likewise put the Town of *Hull* into such hands that your Majesty shall appoint, with the consent, and approbation of Parlement, and deliver up a just account of all the Magazin, and cheerfully employ the utmost of our endeavors in the real expression and performance of our dutiful and loyal affections, to the preserving and maintaining of the Royal honor, greatness, and safety of your Majesty, and your posterity.

Polyander.

How did these Propositions relish? they run in a very high strain, though the preamble and conclusion breath a great deal of humility and alleageance. In so much that those Proposals might be said to be as so many *Nettles* twixt the two *Roses*.

 Philanglus.

Philanglus.

The King receiv'd these proposals with a kind of indignation, saying, That he was worthy to be a King no longer over them, if he shold stoop so low; som alleg'd that the very propounding of them was Treson in the highest degree, for they struck at the very root and foundation of all Royal authority, therefore the condescending to them, wold render him a King of clowts, and fit to be hooted at by all his Neighbor Princes.

Polyander.

The world was much amaz'd abroad that the Peers shold concur in passing such Proposals, considering how their honor must stand and fall with the Royal Prerogative; well Sir, on.

Philanglus.

You must think Sir, that one part of four of the Lords were not there, the rest were with the King, who slighting those *nineteen* Propositions (an *unluckie* number) it made the pulse of the Parlement to beat higher, and to publish to the world a new Declaration, the substance whereof was,

That the Parlement hath an absolute power of declaring the Law, and whatsoever they declare is not to be questioned by King, Magistrat

gistrat or Subject; That no Precedents can bound or limit their proceedings; That they may dispose of any thing wherein King or Subject hath any right for the public good, wherefore they may be Judges without Royall assent; That none of their Members ought to be molested or medled withall for Treson, Felony, or any other crime, unlesse the cause be brought before them to judge of the fact; That the Soverain power resides in them; That levying of War against the command *of the King, though his person be present, is no levying of War against the King, but the levying of War against his* politic Person *and* Laws, *that is the only levying War against the King.*

Polyander.

It was not the first time that this new kind of *Metaphysic* was found out to abstract the person of the King from his Office, and make him have two capacities, *privat* and *politic*, for the same *Metaphysic* was made use of in *Edward* the seconds Reign, but it was exploded, and declar'd by Act of Parlement afterwards to be detestable, and damnable Treson; This were to make Soverainty, (by separating it from the person) to be a kind of *Platonic* Idea hovering in the aer, to make a King a strange kind of *Amphibium*, to make at the same instant a

King and no King of the ſame *Individuum*, a power which the *Caſuiſts* affirm God Almighty never aſſumed to himſelf to do any thing that *implies contradiction.*

Philanglus.

The Parlement or rather the *Presbyterian* Army (for the *Presbyters* ſate then at the helm) encreas'd daily, and things being at ſuch a deſperat point, ther wer two choice Earls (*Southampton* and *Dorſet*) ſent from *Notingham* with this pathetic letter of the Kings to the Parlement.

WE have with unſpeakable grief of heart long beheld the diſtraction of this our Kingdom; Our very ſoul is full of anguiſh untill we may find ſom remedy to prevent the miſeries which are redy to overwhelm this whole Nation by a civill war, And though all our endevors tending to the compoſing of thoſe unhappy differences twixt us and onr Parlement, though pourſued by us with all Zeal, and ſyncerity, have bin hitherto without the ſucceſs we hoped for, yet ſuch is our earneſt and conſtant care to preſerve the public peace, that we ſhall not be diſcouraged from uſing any expedient, which by the bleſſing of the God of mercy may lay a firm foundation of peace and happineſs to all our good Subjects; To this end obſerving that many miſtakes have ariſen by the Meſſages,

Petitions

Petitions and anſwers betwixt us, and our great Councel, which haply may be prevented by ſom other way of Trety, wherein the matters in difference may be cleerly underſtood, and more freely tranſacted, We have thought fit to propound unto you that ſom fit perſons may be by you inabled to treat with the like *number to be authorized by us, in ſuch a manner, and with ſuch freedom of debate, as may beſt tend to that happy concluſion which all good peeple deſire,* viz. The peace of the Kingdom, *wherin as we promiſe in the word of a King all ſafety and encouragement to them, who ſhall be ſent unto us if ye will choose the place we are to meet for the TRETY, which we wholly leave unto you, preſuming the like care of the ſafety of thoſe we ſhall employ if you ſhall name an other place. So we aſſure you, and all our good Subjects, that to the beſt of our underſtanding, nothing ſhall be wanting on our part, which may advance the true Reformed Religion, oppoſe Popery and Superſtition, ſecure the Law of the Land, upon which is built as well our juſt prerogative, as the propriety and liberty of the Subject, confirm all juſt power and privileges of Parlement, and render us a peeple truly happy by a true underſtanding twixt us and our great Councel; bring with you as firm a reſolution to do your duty, and let our peeple joyn with us in prayer*

to Almighty God for his blessing upon this work.

If this proposition be rejected by you, we have don our duty so amply, that God will absolve us from the guilt of any of that bloud which shall be spilt; And whatsoever opinion other men may have of our power, we assure you that nothing but our pious and Christian care to prevent the effusion of bloud hath begot this motion in us, Our provision of men, Armies and Money being such as may secure us from violence till it please God to open the Eyes of our people.

Polyander.

What impressions did this Letter make, for it promis'd much?

Philanglus.

It made little or none at all, though it was all written with the Kings own *hand*, for the Parlement was formerly netled at a Declaration he had sent, when having made a motion to go himself in person to suppress the *Irish* Rebells (which attempt the *Scotts* approv'd of, and highly applauded) but being not lik'd by the *English* Parlement he replied unto them, to this effect.

"When we recommended the reduction of *Ireland* to you, we intended not to "exclude our self, or not to be concern'd "in

"in your Councels, but that if there were "any expedient which in our Conscience "and understanding we thought necessary for that great work, we might put "it in practise; We look upon you, as "our Great Councel, whose advice we always have and will with great regard "and deliberation weigh and consider of, but "we look upon our self as neither depriv'd "of our understanding, or devested of any "right we had, were there no Parlement at "all sitting; We call'd you together by our "own Royall Writ and authority (without "which you could not have met) to give "us faithfull Councell about our great "affairs, but we resign'd not hereby our interest and freedom, we never subjected "our self to your absolut determination; "we have alwayes weigh'd your Councel "as from a body intrusted by us, and when "we have dissented from you, we have return'd you the resons which had prevayl'd with our understanding and conscience, and with such candor, that a "Prince shold use towards his Subjects, and "with that affection a Father shold express "to his Children; What applications have "been us'd to rectifie our understanding by "resons, and what motives have bin given "by *you* to perswade our affections, we leave "the

"the world to judge; Moreover, we must not "forget to tell you, however a major part "may bind you in matter of opinion, We "hold our self (and we are sure, the Laws "and constitutions of the Kingdom hath "always held the same) as free to dissent, "till our Reson be convinc'd for the gene-"rall good, as if you deliver'd no opinion.

"When we summon'd you first together, "we did not intend to put the reigns of all "Rule and Reson into your hands, and by "a kind of blind brutish formality, and "unprincely simpleness to assent to every "thing without examining our own Con-"science and judgment which yet never "pleas'd us more than when they concurr'd "with yours, This were to bring us back "to a nonage, now that we are come long "since to the perfect growth of discretion; "you must not think to take from us the "Mastery and use of our innated reson, and "the dictats of our own conscience, or "that we will raise a Tempest at home, "within our brest, to calm a storm a-"broad; In fine, we call'd you together, to "*propound*, not to *give* Law, to be our "*Councellors*, not our *Countrollers*, for *Coun-"cell degenerats from the nature of Councell "when 'tis coercive.* Nor shall we ever en-"feeble our regall power, or suffer it to be

"be invaded so far as to give way, that a-"ny Ordinance or Omnipotency of Votes, "shall be able to suspend an *Act*, already in "force without our assent; To conclude, "as we firmly resolve to make the Law the "*mesure* of our actions, so we expect it shold "be also the *Rule* of your obedience and "deliberations, and that the result of all "your Councels be deriv'd from it, *&c.*

Polyander.

This was home, and high, but what an-swer did the Parlement make to the former Letter from *Nottingham*?

Philanglus.

The noble Personages who carryed that Letter were look'd upon with an ill aspect by the Parlement; yet an answer was re-turn'd, containing this proposall; *That the King would revoke and annull in the first place those Proclamations, and other public instru-ments whereby their Adherents were declar'd Traytors, under which notion 'twas neither ho-nourable for his Majesty to treat with them, nor were they capable to treat with Him.*

Polyander.

This Doctrine I beleeve they had learnt of the *Scot*; but what did the King reply?

Philanglus.

He sent word that he was willing so to do,

do, provided that the Parlement would recall likewise their Votes, Orders, or Ordinances pass'd against such whom they declar'd Delinquents for adhering to the King according to the cleer known Law of the Land, in the Reign of *Hen.* 7. which was, *That none should be molested or question'd for adhering unto, or assisting the Royal person of the King.*

This the King desir'd by way of reciprocall correspondence, but it being denyed, those overtures for a Trety came to nothing; so the Parlements Army begin to advance, and the Kings did daily encrease.

Thereupon the Lords that were about the Person of the King, whereof there were above threescore, made this public *Manifesto.*

We do engage our selfs not to obey any orders or Commands whatsoever, that are not warranted by the known Laws of the Land; Wee engage our selfs and fortunes to defend your Majesties Person, Crown, and Dignity, with your just and legall Prerogatives, against all Persons and Power whatsoever: Wee will defend the Religion establish'd by the Law of the Land, the lawfull Liberties of the Subjects of *England,* with the just privileges of your Majesty and the Parlement; And we engage our selves further, not to obey any Rules, Order,

Order, or Ordinance whatsoever concerning any Militia, that hath not the Royall assent.

To this was subjoyn'd another.

We whose names are underwritten, in obedience to his Majesties desire, and out of the duty we owe to his honor, and to truth, being here on the place, and witnesses of his Majesties frequent and earnest Declarations and Professions of his abhorring all designes of making War upon the Parlement, and not finding any Councels that might resonably beget the belief of any such design; We do profess before God, and testifie to all the World, that we are fully perswaded, his Majesty hath no such intention, but that all his endeavours tend to the firm, and constant settlement of the true Religion, and the just privileges of Parlement, the Liberty of the Subject, with the Laws, Peace and prosperity of this Kingdom.

But all this wold not serve the turn, for neither Parlement not peeple wold give credit to any thing that drop'd from King or Peers, specially the City of *London,* where the *Presbyterians* play'd their parts notably, by inciting the peeple to a Warr for preventing the introduction of *slavery* and *Superstition*; so, unusual voluntary collections were made both in Town and Country; the

the Seamstress brought in her silver Thimble, the Chamber-maid her Bodkin, the Cook his silver Spoon, the Vintner his Bowl into the common Tresury of War, and they who contributed to so pious a work, were invited more than others in some Churches to come to the *Holy Communion* in the very time of administration; And observ'd it was, that some sorts of *Femalls* were freest in those contributions, as far as to part with their Rings and Ear-rings, as if some *Golden Calf* were to be molten and set up to be idoliz'd, which prov'd true, for the *Covenant* a little after was set up, which may be said to have been a kind of Idol, as I shall make it appear hereafter.

Thus a fierce funestous civil War was a fomenting in the very bowels of *England*, which broke out into many storms and showers of bloud; The fatall cloud wherein this storm lay long engendring, though when it began to condense first, it appeer'd but as big as a hand, yet by degrees it did spread to such a vast expansion, that it diffus'd it self through the whole Region, and obscur'd that fair face of *Heven*, which was us'd to shine upon this part of the *Hemisphere*.

The King fell to work then in good earnest, and made choice of the Earl of *Linzey* for

for Generall of the Infantry, which choice was generally cryed up of all; Prince *Rupert* was made Generall of the Horse, but that election did not find such an applause; The first encounter that Prince *Rupert* had with his Godfather the Earl of *Essex* was neer *Worcester*, where he defeated some of the flower of the Parlements Horse; The King having remov'd from *Nottingham* to *Derby*, and so to *Strafford*, his forces encreas'd all along, but passing by *Chartley* the Earl of *Essex* House, the Soldiers hop'd to have had some plunder there, but a strict command was given by the Kings own mouth, that nothing shold be touch'd, not as much as a Buck, whereat their teeth did water as they march'd through his Park; So he came to *Shrewsbury* where the Court kept above a Month, at which time the Army multiply'd exceedingly to neer upon 20 *M.* men, and the *Welshmen* coming so thick down the Mountains did much animat the *English*.

From *Shrewsbury* the King took a resolution to remove to *Oxford*, but after seven dayes tiresome march, he understood the Parlements Army were within six miles of him, so he went out so far to find them out, and fac'd them on a Sunday morning from *Edge-Hill*, as they lay in *Kinton* Fields, where their Colours were display'd; At sight

ſight of the Royall Army they diſcharged ſome peeces of Ordnance in defiance; ſo both parties prepar'd for Battail, and the Sun had declin'd above two hours in the afternoon before the Canons, and Kings Infantry could get into the bottom; Being put there in a fighting poſture, and having the wind favorable, the King gave command to let fly the Canons to begin Battail; Thus a moſt furious Engagement began, which laſted about three hours, till night parted them; And ſome old *French* and *German* Commanders who were there employ'd in the Royall Army, reported afterwards, they never ſaw ſuch a manfull fight in all their lifes: Prince *Rupert* ſpringing ore a low Hedge lin'd thick with the Enemies Muſqueteers pourſued their Horſe very far, and did notable execution upon them all the way, and had he not worried them ſo far, and deſerted the Infantry, or had not his *German* Soldiers fall'n a plundering too ſoon, matters might have gon better with the King.

Polyander.

I heard it reported that this Battail was fought juſt the ſame day twelve month that the Rebellion and *Maſſacre* began in *Ireland.*

Philanglus.

It was ſo, being the 23. of *October*, a day fatall for bloud; Now, though this Battail of *Edg-Hill* may be ſaid to be ſudden, inexpected, and unpitch'd, yet for poſition of ground 'twas fought in as indifferent, and fit a place for Battail as poſſibly could be lighted upon, for the Combatants had ſcope enough to fight, and the Spectators, whereof there were multitudes upon the riſing adjacent grounds, might behold all as plainly as a Tragedy acted upon a Stage, or Cock fighting in a Pit.

The Parlements Army had the advantage of the Kings in point of Infantry who were very good Fire-locks, moſt of them having bin train'd up in *London*, and ſo left their *Wares* to follow the *Warrs*. They had alſo the advantage of the King in poinc of Arms, for ſcarce three parts of four were arm'd in his Army: But for Cavalry, the Royalliſts had the greater advantage, for the flower of moſt of the *Engliſh* Gentry was there, inſomuch that the life-Gard of the Kings was computed to have above one hundred thouſand pounds ſterling of yeerly revenew.

About the evening of the day following, both parties retir'd from the Field, the Parlements back towards *Northampton*, the

Kings to their former road towards *Oxford*, and in the way they took *Banbury*, where there was a strong Garrison for the Parlement, which sure, as the Cavaliers gave out, the Earl of *Essex* had preserv'd, had he been then Master of the Field.

After this Battail of *Edg-Hill*, there happen'd divers other traverses of Warr 'twixt King and Parlement for about four years, in which revolution of time, there were more skirmiges and Battails fought, than happen'd in those last thirty years Wars of *Germany*, or fourscore years Wars 'twixt *Spain* and *Holland*.

Polyander.

This shews that the *English* have still the same old innated valour, that they had when they made the gray Goose wing fly through the heart of *France*, which made *Comines* one of their greatest Authors to confess, that no *Nation is more greedy of Battails, and more impatient of delayes that way than the English*, but how was it possible for the King to subsist so long, considering the mighty advantages the Parlement had of him?

Philanglus.

There were mighty advantages indeed; For they had all the *tenable* places, and Towns of strength, both by Land and Sea; They had all the Navy Royall; They had the

the Tower of *London* with all the Ammunition and Arms of the Crown; They had the Imposts and Customs, Poundage and Tonnage, they had the Exchequer at their devotion, with the Revenues of King, Queen and Prince; They had the City of *London*, which may be call'd the great Magazin of men and money, where there is a redy supply of all things that may feed, clothe, or make men gay and gallant, to put them in heart and resolution.

Polyander.

Then they had *Sea*, *City*, and *Scot* on their side. But how came the *Scot* to be so against the King, or to levy Armes without his Commission, considering the late great Protestations and Oaths they had made not to do it, by reviving the Act of Parlement to that effect, which they said they did in recognition of those Royall recent favours, and unparallel'd mighty Concessions and Acts of grace, which he had done them by their own Confessions?

Philanglus.

They were indeed mighty, or rather monstrous Acts of grace that he had pass'd unto them, which did so trench upon the Royal Prerogative, and so denude him of all power that it mought have been said of him ever after, that he was King of *Scotland*, no

 other-

therwise than he was King of *France*, *Titular* only.

Polyander.

How did the *Scots* expreſs their thankfulneſs to their King and Country-man afterwards for ſuch tranſcendent favors?

Philanglus.

They prov'd the greateſt Monſters of Ingratitude of any upon earth, ſpecially the *Kirk-men* whom he had oblig'd in an extraordinary manner; For the King being inform'd of the mean condition of Churchmen in that Kingdom, who by their holy function have a care of the nobleſt part of man, and being told what poor pittances, or rather benevolences only they had, and for thoſe alſo how they depended upon the will and pleſure of the *Laic*, By a ſpeciall Commiſſion to that purpoſe, he found a way not only to augment but to aſcertain thoſe ſalaries of Church Miniſters upon good firm rent: wherby they might be free from that ſervile kind of Clientele and Dependency they had upon their ſecular Patrons.

Polyander.

Queſtionleſs this was a mighty generall advantage to the Clergy of *Scotland*, both in point of eſteem and ſubſiſtence, but what returns did theſe royall favors receive?

Philang-

Philanglus.

Thoſe fooliſh Kirk-men grew afterwards his greateſt enemies by virulent ſeditious Preachments and Paſquils to corrupt and leſſen the hearts of his Subjects towards him, nay, when he made himſelf a Priſoner to the *Scots* Army at *Newark* and *Newcaſtle*, thoſe Kirk-men did ſo little reſent his hard condition, that they did preach up and down againſt his comming to *Scotland*, &c.

Moreover, whereas the common ſort of Freeholders who were bound to pay Tithes to the Impropriators or Lords of the *Erection*, as they ſtil'd themſelves, were us'd to be much incommoded, and oftentimes damnified, becauſe they could not take in their Corn till the ſecular Lord had fetch'd away his Tithe, which he wold ſometimes delay of purpoſe to ſhew his paſſion or power, whereby the whole Crop for not taking the advantage of the weather, oftimes did ſuffer; The King for relief of the Country Husbandman, appointed certain Commiſſioners to take this grievance into conſideration, who after much pains taken in the buſineſs, found out a legall and indifferent way to purchaſe thoſe tithes and bring the Impropriator to take a pecuniary ſet valuable Rent, which was alſo

an advantage to *Him*, in regard of the certainty of it.

Polyander.

It was doubtless an advantage to both parties, but how did they carry themselfs towards the King afterwards?

Philanglus.

Just as the Kirk-men did; But you shall hear more; when the King, as I told you before, had in a full Parlement confirm'd unto the *Scot* all the Privileges of Kirk and Kingdom, when he had made an oblation to them of all the Bishops Lands, conferr'd many honors and offices, and done them many other obliging Acts of grace, and all this *gratis*, the *English* Parlements using alwayes to answer their Kings favours in this kind, with a supply of Tresure, I say, in having done all this *gratis*, He before his departure desir'd them to continue their alleageance, and live in peace, for they had not now the least grievance to complain of, and if any difference shold fall out betwixt him and his *English* Subjects, which he hop'd God would avert, He desir'd them not to intermeddle, for whereas he might expect and demand aid of *them* if the case requir'd, yet he wold not trouble the repose of that his *Native* Countrey; This they all did not only promise to do, but they did solemn-

solemnly oblige their souls thereunto by revival of the Act I told you of before, at the publishing wherof one of their Grandees fell on his knees, and lifting up both his Arms, wish'd they might rot to his body before death, if ever he wold heave them up hereafter, or draw sword against his gid King: yet for all this they intruded themselfs into the Kings affairs, convok'd a Parlement without his summons, sent Commissioners to *Oxford*, and thrust themselfs to be *Umpiers*, They made besides, a strict league with the *English* Parlement, and at last rush'd into *England* again with an Army in the dead of Winter, which Army they had levyed not only without, but expresly against the Kings Commission and countermands; that wretch who had publiquely vowed never to draw Sword again without his Majesties Commission, *&c.* coming General of the said Army: But for Martial exploits the little credit that Army got by storming *Newcastle* was not countervailable to that which they lost before *Hereford*, where the Welshmen bangd them to som purpose from before the Town, and made their General after nine weeks siege to truss up his pack and away, sending him a fat Sow with a Litter of Piggs after her, and a blew Bonnet upon her head for his Breakfast. I must inform you

you further that the King being reduc'd to much extremity in *Oxford*, by crofs fucceffes and *Counfels*, he got away in a Serving-mans difguife to the *Scots* Army nere *Newark* as his laft refuge, which plot was manag'd by the fubtilty of the *French* Agent then refiding here: A man wold have thought *that* Nation wold have deem'd it an eternal honor to have their own King and Country-man to throw himfelf thus into their Arms, and repofe fo fingular a confidence in them upon fuch an exigent; But they correfponded not with him as he expected; For though at firft when the *Englifh* Parlement follicited their *Dear Brethren* for a delivery of the Kings Perfon unto them, their note was then, that if any ftranger Prince had put himfelf fo upon them, they could not with honor deliver him up, much lefs their own native King; yet they made a facrifice of him afterwards for a fum of money; Wherupon *Bellieure* the *French* Ambaffador being convoy'd by a Troop of *Scots* Horfe to fuch a ftand, in lieu of larges to the faid Troopers, he drew out half a Crown peece and asked them how many pence that was, they anfwer'd thirty pence, he replied for fo much did *Judas* betray his Mafter, and fo hurld them the half Crown.

Polyander.

Polyander.

But afterwards the *Scots* carried themfelfs bravely by fending a gay Army under D. *Hamilton* to affift the King.

Philanglus.

Touching that *Presbyterian* Army, the bottom of its defign is not known to this day, and I was told, that when the King heard of it, and that *Hamilton* was in the head of it, he fhould fay; *Then I expect but little good to be don for me.*

Polyander.

Certainly the routing of that Army was a glorious exploit of the Lord Protector that now is; his forces not amounting to the third part of the *Scots*.

Philanglus.

It was certainly a very heroik Achievement, as alfo was the battail of *Dunbar*, wher the *Scots* had greater advantages far of him; which two exploits deferve to be engraven in large Letters of Gold in the Temple of Immortality, and tranfmitted to after ages; For herby he did more than the *Roman* Emperors, or after them, the *Saxon*, *Danifh*, *Norman*, and *Englifh* Kings cold ever do, to conquer that craggy Country, and make *England Scot-free* ever herafter.

But before I have don with this unlucky Nati-

Nation; I will give you a touch of those visible Judgements which have fallen upon them so thick one upon the neck of another in few years, more than fell upon the *Jews* in forty; First there happen'd the greatest plague in *Edenburgh*, that ever was in that Countrey, for in less than a twelvemonth, that Town was peepled with new faces, the Pestilence having swep'd away almost all the old; Ther have been above 2000 Witches arraign'd and executed there with in these few years: After the routing of D. *Hamilton*, and the Battail of *Dunbar*, with that at *Worcester*, many thousands of that Nation have been bought and sold in quality of slaves to be banish'd, and sent over to forren Plantations; What numbers of them were starv'd, and buried before they were dead; And what is now becom of their hundred and ten Kings, and their Crown? which I heard them brag, was more weighty, as having more Gold in it than the *English*? And for their Government they are reduc'd to be as pure a subordinat Province, and subject to the will of the Conquerer as ever Countrey was.

Polyander.

I must tell you also that they have lost much of their repute abroad; but if I were worthy to be heard by the Lord *Protector*, I wold make a motion that his Highness wold

wold take in, at least, all the Land twixt *Barwick* and *Edenburgh* into the *English* Pale, and impose a new name upon it for an Eternal mark of Conquest, and for enlarging the Skirts of *England*.

But Sir, it is time for you now under favor to return to *London*, and know what the Parlement doth.

Philanglus.

Ther are all Artifices us'd to make the King odious, and both the Press and the Pulpit joyn in the work; new distinctions are coyn'd, that though he was *Gods Anoynted*, yet he was *mans appointed*; That he had the *Commanding*, but not the *disposing* power; That he was set to *Rule*, but not to *over-rule us*: That he was King by *humane choice*, not by *Divine Charter*; That he was not King by the *Grace of God*, but *by the suffrage of the people*; That he had no *implicit trust*, *or peculiar property in any thing*, that *populus est potior Rege*; that *Grex Lege*, *Lex Rege potentior*; That the King is *singulis major*, but *universis minor*. Lastly that he was but a *Creture*, *and production of the Parlements*, &c.

Moreover all Artifices are us'd to raise money; The first way that the Parlement us'd (after a Royal Subsidy of 400000 *l.*) was to *poll* us, then they went on to *clip* and *shave* us, and had they continued longer

ger, they had fallen a *flaying* of us; They lighted on no less then twenty several wayes to get money above board, whatsoever they got below, *Pole-money*, and the Royall Subsidy were the first two; 3. Free loans and contributions upon the public faith, which swell'd to an incredible sum. 4. The *Irish* adventures for sale of Lands the first and second time. 5. The general Collection for relief of the distressed Protestants in *Ireland*, to which use the *Hollanders* sent over in mony, and Corn neer upon 50000 *l.* & the *English* collections came to neer four times so much, so that in all, both the Collections amounted to above 200000 *l.* sterling, & yet not ten thousand pound, not the twentieth part was employ'd to the right use. 5. They grew so hungry for money, that they impos'd the weekly meal. 6. The City loan after the rate of five Subsidies. 7. A particular Assessement for bringing in our *dear Brethren* the *Scots*. 8. The five and twentieth part. 9. The weekly Assessment for the Lord Generals Army. 10. The weekly Assessment for Sir *Tho. Fairfax* Army. 11. The weekly Assessment for the *Scots* Army. 12. The weekly Assessment for the British Army in *Ireland*. 13. The weekly Assessment for the Lord of *Manchesters* Army. 14. The Kings,

Kings, Queens, and Princes Revenues. 15. Sequestrations and plunder by Committees. 16. Compositions with Delinquents, and fines, which came to sums pass'd all understanding. 17. That *Dutch* Devill the Excise. 18. Fortification money. 19. Bishops, Deans and Chapters Lands.

To this may be added the Ship *Santa Clara*, valued in mony and Merchandize at 80000 *l.* sterling, which was detain'd at *Southampton* for reparation of those dammages that som *English* Merchants had receav'd by the *Spaniard*, as it was declar'd in the *House*, but not a farthing therof was employ'd to that use, notwithstanding that many with expence of time and coin did sollicit for the same, and lastly the Houshold stuff of the King, Queen, Prince and others; wherof som small proportion was allotted for payment of the Arrears of the Kings poor Servants; but they wer to advance two in the pound before-hand before they could be admitted to any Divident, and 'tis incredible what jugling ther was us'd in that business, for som receav'd nothing therby but loss upon loss: Nay they took away monys given to repair Churches, and in som places robb'd the very *Lazaretto*, or Spittle.

Polyander.

Polyander.

Sure, these vast sums must amount to a huge mass of money, money enough to have *pourchas'd* half a dozen kingdoms instead of purging one. Touching that *Dutch* Devil you speak of, the *Excise*, I remember, Sir *Dudley Carleton* when he was Secretary of State did but name it in one Parlement, and it was such a Bugbear abominable word, that he was call'd to the Bar, and hardly escap'd going to the Tower, though he made use of it to no ill sense; But was ther no account given of these public Erogations and taxes?

Philanglus.

An account was often voted and promis'd, but never perform'd; for then they shold have discover'd how much their own membership had swallowed for their privat interest of the public Tresure, by free gifts among themselfs, and the perquisits of gainfull offices.

Polyander.

But we heard beyond Sea, that they had pass'd a solemn Ordinance of Aprauslia or self-abnegation, call'd the *self-denying Ordinance*, wherby they made themselfs incapable of Offices, and other things of gain.

Philanglus.

'Tis true ther was such an Ordinance, and 'twas thought it pass'd principally to remove *Essex*

Essex from the Generalship, whom they began to *suspect*, but nothing was afterward less observ'd.

Polyander.

I heard you speak of moneys borrow'd upon *the public Faith*, I pray how wer those reimbourled?

Philanglus.

It was the first time that *public Faith* did ever set up for her self, and she quickly grew to be a Bankrupt; And never was ther such *double* dealing us'd by any public Assembly; For when the Lenders upon that *public Faith* came to demand their moneys, They could not have them, unless they doubled the first sum, together with the interest they had received, and then they shold have the valu in Church or Crown Lands, but if they *doubled* not both interest and principal, they shold not be capable to have any Lands at all allowed for their moneys; Divers to my knowledge have ruin'd themselfs herby, and though they clamor'd, and spoak high language at the Parlements dore, and were promis'd satisfaction, yet they could not get peny to this day, unless it were the ten pound men, and those that lent petty sums.

Polyander.

I heard this cry'd up abroad to be the arrandst Cheat that ever was don by a great Councel,

Councel, and one of the foulest blemishes that *England* could receave, by making her *forfeit* her *faith* in that manner, which made one say; *Fides Publica, Fides Punica.*

I heard likewise of divers Interlopers that for half a crown in the pound were us'd to buy the *public Faith* Bills, as others did drive on a trade to buy the Soldiers Debenters.

But wheras we have spoke a little of that *Dutch* Devil the *Excise*, we heard abroad of a *Scotch* Devil also, though of another nature, that was risen up amongst you, which was the *Covenant*; I pray how was he conjur'd up.

Philanglus.

That *Covenant* was conjur'd up by the Presbyterian party, and may be call'd a worse Devil than the Excise, for the one tyranniz'd ore the Purse, the other ore the Conscience; But what an unmanly and dishonorable thing was it for the *English* Nation to bind their souls for conserving the Religion of another foren peeple inferior to them, for conserving the Doctrin, Disciplin, and Government of that Church which not one *English* man in a thousand did understand, and yet every one must take the holy Covenant by a blind implicit Faith to maintain it; But now that we have fallen upon the

the *Covenant* which may be said to be an Engin forg'd in Hell for battry of the Conscience, I will tell you of an odd passage that happen'd about that time; Ther was one Master *Heron* a Printer, who being sent for by a Lady of good quality, she told him that now that ther was a National Covenant com forth, which every one must take, she had a Sermon in a fair manuscript of that great light of the Church, Master *Brightman*, which treats of *universal Covenants, viz.* how far they are agreeable to Scripture, and consonant to the Word of God, and it had bin preach'd before the House of Commons thirty yeers before, therfore it wold be now very seasonable to print and publish it; The Printer giving her Ladyship many thanks, receiv'd the Sermon, (which she avouch'd upon her honor to be a *tru* Copy) and undertook the business, so he went to him who was appointed by the *Synod* to licence for the Press peeces of that nature, to get an *Imprimatur*, but the *Synodical* man having kept the Sermon above three daies by him, the Printer went for his Sermon, and found it formally licenc'd for the Press, but most pittifully *falsify'd, interlin'd* and *adulterated* in many places; For wheras the opinion of *Brightman* throughout the whole

Sermon,

Sermon, was, that a National and General Covenant was agreeable to the Word of God, Provided, *the King did give his Royall assent thereunto, without which it was both detestable and damnable*; The *holy Synodical* man had expunged the word *King* every where, and foisted in the room of it, somtimes the word *Parlement*, sometimes the *Trustees of the Common wealth*; sometimes the *men in Authority*; The Printer having perus'd the interlineations and expunctions, told him, that were he to get 1000 *l.* by printing that Sermon, he wold not be so arrand a Knave as to wrong the dead so much, by making him speak what he never meant, nay things quite contrary to his meaning; I saw the said Sermon, and the maner how it was so basely sophisticated.

Polyander.

Ther was another Oth consisting all of Negatives, call'd the Oth of *Abjuration*, which I also heard of, that came out about the same time, which extended to take away the liberty of the very *thought*, it did not only reach the outward man, but it ransackd all the Cels of his brain, with the intern *Ideas* and cogitations of his mind.

Philanglus.

Truly, under favor, and correction, I humbly speak it, ther is a kind of inhumanity,

manity, and ἀλογία in that *Oth*; for all Laws are made, and all Magistrats are instituted to restrain the *outward* man, and regulat his Actions as they refer to the public; for it matters not what privat crochets we have in our single selfs, so we be in consort and tune with our Companions; The Law considers us as we have reference one to another, and to the body politic, therfore it neither useth to limit our privat spendings, nor ties us to any cours of diet or Physic, because our single fortunes, and health, though they mightily concern our selfs, yet they are but of little importance to the public; And as every one enjoys this liberty in relation to his body, and goods, so our *souls* ought to be allow'd a proportionable share of that freedom, so that it give no scandal to the public.

Our *thoughts* as long as we keep them within dores, cannot any way offend, therfore the Law hath provided no punishment for them; The intention of Murther is taken no notice of by the Law, if the design of mischief stay at the imagination, and proceeds no further to any outward attempt; The Law refers that to the great Tribunal of God who is the only *Kardiognostic*, the sole searcher of the heart; If a Law were justifiable against erroneous

Thoughts in points of Religion, with an Oth of *Abjuration* to make the suspected accuse himself, why (as a Gentleman doth rationally infer) shold ther not an Oth be also provided against *thoughts* of *Treson*, *Adultery* and *Murther?* and so bring every one to swear whether he be guilty or no of such crimes. Now, touching this *Presbyterian* Oth of *Abjuration*, it is not contented with a modest, and simple denial, that one *beleeves* ther are no such and such things, but he must swear positively and point blank ther *are* no such things at all; Now, though I am not of the same opinion with *Copernicus* that the *Earth moves*, and the *Sun stands still*, yet I wold be loth to *swear* either the one or the other.

Polyander.

I observe that this Oth hath a double edg, for either it must *wrong one's Conscience*, *or ruine his fortunes*; besides he is condemn'd without either *Accuser* or *Witness*, the party himself must be against himself, and what can be more repugnant to nature?

Philanglus.

It is not only opposit to the Law of *Nature*, but the *Common* Law of *England* doth so abhor that any shold accuse and condemn himself, that ther wer extrordinary provisions made against it by our Progenitors,

tors, Therfore if any had been cited in the *Spiritual* Court to accuse himself *pro salute animæ*, a *Prohibition* lay at the *Common Law* to stop and supersede their proceedings: All which is humbly left to the consideration of the present Government.

Polyander.

I infer out of this, that if the *Presbyterian* had established himself, he had prov'd the uglieſt tyrant that ever was on Gods Earth, if you relate to Soul, Body, or Goods, in lieu of 26 *Bishops*, we shold have had nine thousand and odd *Popes*, who wold have *deliver'd us over to Satan* ever and anon, and puzzeled us with their Parochicall, Congregationall, and Nationall Classes. But I cannot wonder enough that the House of Commons shold busie themselfs so much, and undertake to *frame*, and impose new Oths, when by the Law of the Land they had not power as much as to *administer* an old Oth to the meanest Subject; And touching that *Covenant*, what could be more opposit unto their former Oths? for therin they offred their souls *to preserve that Religion which was establish'd by the Laws of England*, and in the *Covenant* they bind themselfs, *to conserve that which was established by the Laws of Scotland*, and to that purpose they may be said to

 offer

offer up *God* for their security to *Satan*. Moreover, those *Demogogs* or popular *Dagons*, though they wer so forward to constrain all other of their fellow Subjects to take and swallow up any Oths, yet two parts of three among themselfs did not take them, as I have been often told.

But Sir, now that you have been pleas'd to inform me of their carriage in *Spiritual* things, how did they comport themselfs in *Civil* matters, after they had monopoliz'd unto themselfs all power by the Act of Continuance?

Philanglus.

First I must tell you, that touching that monstrous Act, the soundest Lawyers of the Kingdom wer of opinion, that it was of no validity, that it was void in it self, in regard that what grants or concessions soever the King makes, the Law presupposeth, they are alwayes made with these Proviso's, *Salvo jure Regio, salvo jure Coronæ*; now it was impossible that any grant could possibly trench more upon the Right of King or Crown, as that extravagant Act of *Continuance*, therfore it was nul in its own nature at the very first; nay, as som affirm'd, the very *Proposall* of it was Treson in a high degree.

But having hooked the power thus into their

their hands, they strained it up to the highest pitch that could be; They made themselfs Land-lords of all the three Kingdoms; it was a common thing to take any mans house over his head, and make use of it for their service; They meddled with every thing, so far, that scarce a Church-warden or Vestry-man could be made without them, they wold have a hand in making Common-Councel men, and Constables, with other petty Officers.

Polyander.

Me thinks that was somwhat derogatory to the supremacy of their power, for great Councels shold not descend to every petty object, but with their high authority they shold enlarge their souls to consider of Universals.

Philanglus.

I could produce many Instances how they undervalued themselfs this way, but let this one suffice. It happen'd one day that a company of ramping wenches, who went under the name of *Maids*, or Holy Sisters, came with a Remonstrance to shew their affections to the House, and they were *headed* by Mrs. *Ann Stagg*, who was to deliver the Remonstrance; hereupon a choice member was voted to go Mrs. to *Ann Staggs* lodging to thank her and the rest of the

maidens for their good affections to the Parlement, &c.

But to be more serious with you, touching *civil* matters, wherof you gave a touch before, ther was nothing so common in those times as a *charge without an Accuser, a sentence without a Judge, and condemnation without hearing* : How many were outed of their freeholds, liberty and livelihoods before any examination, much less conviction? how many appeals wer made from solemn tribunals of Justice to inferior Committees? how common a thing was it to make an order of theirs to controll and suspend the very fundamental Laws of the Land? and take away any mans House from over his head, as I told you before.

Polyander.

But this was in the brunt of the War, which the King did necessitat them unto, as he acknowledg'd in the Trety at the Isle of *Wight*.

Philanglus.

'Tis true he did so, but he did it upon two weighty considerations, and as it had reference to two ends, first to smoothen things therby, and pave the way to a happy peace : Secondly, that it might conduce to the further security of the two Houses of Parlement with their Adherents;

Besides

Besides he did it when the Razor was as it were at his throat, when there was an Army of above 30000 effectif horse and foot, that were in motion against him; Yet this *Acknowledgement* was made, with these two provisos and reservations, First, that it shold be of no vertue and validity at all till the whole Trety were totally consummated; Secondly, that he might when he pleas'd enlarge, and cleer the truth hereof with the reservednes of his meaning by public Declaration; Moreover, *That* Grant or Acknowledgment was but a preambular proposition, it was not of the Essence of the Trety it self; Now, as the Philosophers and Schoolmen tell us, there is no valid proof can be drawn out of *Proems*, Introductions, or Corollaries in any Science, but out of the positive Assertions, and body of the Text, which is only argument-proof, so in the Constitutions and Lawes of *England*, as also in all civil accusations and charges, forerunning Prefaces (which commonly weak causes most want) are not pleadable. And though they use to be first in place, like Gentlemen Ushers, yet are they last in dignity, and shold also be so in framing; Therefore there was too much hast us'd by the Parlement to draw that *Hypothetic* Provisionall concession to the form of an Act so

sud-

ſuddenly before the Trety it ſelf was fully concluded.

Polyander.

But who was the firſt Aggreſſor of that ugly Warr, the King or the Parlement?

Philanglus.

I will not preſume to determin that, only I will inform you, that the Parlement took the firſt Military gard; they firſt interdicted trade. They countenanc'd all tumultuous Riots, gave way to *Club*-Law, and they kept the King by force out of *Hull*, iſſued Commiſſions for Horſe, brought in forren force, and had a compleat Army in motion, a good while before the *Royall* Standard was ſet up.

Polyander.

I remember a witty Motto that the laſt *French* Cardinall caus'd to be engraven upon the brich of ſome new Canons which were caſt in the *Arſenall* at *Paris*, it was

—*RATIO ULTIMA REGUM.*

Viz. That the *Canon* was the laſt reaſon of *Kings*.

But whether this Motto may fit *Subjects*, I will not diſpute.

But ſure the King was ill advis'd ſo to ruſh into a Warr, conſidering what infinit advantages the *Houſes* had of him, for as you

you ſay'd before, they had the *Sea*, the *Scot*, and the *City* on their ſide; and the King had no Confederat at all at home or abroad; I am ſure he had no friend abroad that one might ſay was a true friend unto him, unleſs it was the Prince of *Orenge*, in regard he had diſoblig'd all other Princes: For you know, as ſoon as he came to the Crown, he ruſh'd into a Warr with the King of *Spain*, and in lieu of making him his *Brother in Law*, he made him his *foe*, which ſtuck ſtill in his ſtomach; as alſo becauſe he had given ſo fair a reception to the Ambaſſadors of *Don Juan de Braganza* now King of *Portugall*. A little after he broke with the *French* King, Notwithſtanding that he had his Siſter every night in his Arms; The *Hollanders* gave out that he had appeer'd more for the *Spaniard* than *Them*, in that great fight with *Don Antonio d' Oquendo*; and that he ſuffer'd his own Ships and others to convey the King of *Spains* mony to *Dunkerk*. He was ingag'd to his Oncle the K. of *Denmark* in great old ſums wherof there was little care taken to give ſatisfaction; the *Iriſh* cryed out, They had bin oppreſs'd; The *Swed* obſerv'd that he was more for the Houſe of *Auſtria*, than for *Guſtavus Adolphus*; And at home, I have been told that the *Iriſh* cryed out he was op-

oppreſs'd; And the *Scot* whom he had oblig'd moſt of any by ſuch mountains of favors, with divers of his own Cretures, and domeſtic boſom ſervants whom he had engag'd moſt, ſtarted aſide from him like a broken bow, ſo that all things did co-operat, and conſpir'd as it were to make him a *hard-Fated* Prince, and to uſher in a Revolution.

Philanglus.

Yet I heard that all Princes were very ſenſible of his fall.

Polyander.

'Tis true, they did much reſent it at firſt, yet they were affected rather with *Aſtoniſhment* then *ſorrow*; And touching the *Roman* Catholic Princes they did afterwards rejoyce at it, conſidering what a huge blemiſh the manner of his death brought upon the *Reformed* Religion; but Sir I pray be pleas'd to proceed.

Philanglus.

The Sophies, or Gran Seniors of the Common-wealth, whereof we ſpoke before, ſcrued up their authority every day higher and higher, They declare, that an Ordinance of Parlement without the Royal aſſent is equivalent to an Act; They declare, that not only the conſultative, miniſterial and directive power is in them, but alſo the Judica-

Judicatory, Deſpoticall, and *Legiſlative* higheſt power is inherent in the walls of their two Houſes; That their power is alſo Arbitrary, *Ubiquitary* and incontroulable; That they are not ſubject to diſſolution or Time, being the eternall and irrevocable Truſtees of the Common-wealth, with ſuch *Rodomontados*, which made one to think that a Mid-ſommer Moon had got into their brains, and therefore held this Anagram a very fit one to be ſet up on the dore of the Houſe, with the diſtic annexed,

Parliamentum,
Lar Amentium.

Fronte rogas iſto P. *cur Anagrammate non ſit?*
In promptu cauſa eſt, Principem *abeſſe ſcias.*

Polyander.

They who have pryed into the true humor of a *Portuguez*, have obſerv'd, that He uſeth to act more according to what he *thinks* himſelf to be, than what he *really is*, It ſeems that theſe Parlementeers were poſſeſs'd and puff'd up with the ſame humor; But if the ſupreme power were in an Aſſembly, when that aſſembly is riſen, I wonder what's becom of the power; ſure it muſt reſt in the air, or ſtick to the walls of the Chamber where they breath'd. Now Sir, touching

touching *long* Parlements, I am of opinion, it is the greateſt and generall'ſt grievance that can be poſſibly to the *Engliſh* peeple, by reſon that, beſides other irregularities, it ſtops the ordinary cours of Law, in regard of the privilege they have, not to *be ſubject to arreſt* with others to whom they give protection, now not one in four of that long Parlement men but ow'd mony, and what uſe Sir *Peter T.* and divers others made of that privilege to the detriment of a thouſand poor Creditors, is too well known: And were ſuch men think you fit to keep the Kingdoms Purſe in their pockets ſo long? But having got the great Seal, as well as the Sword into their hands, what ſignall Acts of Juſtice did they do?

Philanglus.

'Tis true they had got the *Seal* and *Sword*, which the Law of *England* doth appropriate to the *chiefeſt Magiſtrat*, the one ſhold be girt only to his ſide, and the other hang at his Girdle; And it was told them to their faces by the knowingſt members in the Houſe, that to cut a Broad Seal of *England* was the higheſt treſon that poſſibly could be attempted, without the aſſent of the *Governor in chief*. Now Sir, touching any ſignall act of Juſtice they ever did, I am to ſeek to this day, but for horrid Acts and

and paſſages of injuſtice, I think there could be produc'd a thouſand cleer, and *yet crying* examples, which would make a greater volume then the Book of *Martyrs*, I mean Acts that we done before the Warr begun, and after it was ended, which takes away the ſpecious colour of *neceſſity*, wherewith they varniſh'd all their exceſſes and irregular actions.

I will inſtance only in two, (for this was intended for a ſhort diſcours, not for a ſtory.) *viz.* The buſineſs of the Lord *Craven*, and Sir *John Stawell*, the firſt a perſonage who is a great ornament to this Nation by his gallant comportments beyond the Seas, the other one of the conſiderableſt Knights in the whole Countrey.

Touching the Lord *Craven*, he went with conſent of Parlement to his charge in the Low Countries, not only before the Warr, but before any diſcontentment happen'd at all 'twixt King and Parlement, and being attending his ſaid military charge at *Breda*, when the King of *Scots* came thither, and the Queen of *Bohemia* being alſo there, he could not avoid ſeeing them ſometimes; nor was there any order or Act of Parlement to prohibit any body from doing ſo; But for intermedling with any affairs of State, or mixing with the *Scots* Councell, he never did

did it; At that time there hapn'd to be in *Breda*, many cashier'd *English* Officers, and among them one *Faulkner*, who having a Petition drawn, and written all with his own hand, the pourport whereof only was that the King wold *releeve their necessities*; They desir'd the intercession of my Lord *Craven* herein, but he with a civil complement declin'd the business, for he was not fit to do them service, because as he said he was neither Courtier nor servant to the King. Hereupon *Faulkner* being offended, both with King and *Craven*, in a passion said (as 'twas proved) *This it is to follow a thing call'd King, damme, I'le to England, and do all the mischief I can*; Being come to *London* he forg'd *another* Petition, wherein ther were scandalous words against the Parlement, *viz.* That they were *barbarous inhumane villains.* Then going with a *Confident* of the Parlements who fed him with Money to go on in his design, He made an Affidavit upon Oath, that the forementioned Officers at *Breda* shewed this very Petition to the Lord *Craven*, who read it, and deliver'd it to the King, both which was damnably false; As soon as this Deposition was reported to the House, they presently voted a Confiscation of all the Lord *Cravens* Estate, He being then neer upon a thousand miles off

off in *Germany*, and no soul appearing for him, nor could any on his behalf procure a Copy of *Faulkners* deposition: *Craven* having notice hereof, he sent a most humble Petition to the Parlement, declaring his innocence, which Petition was sent in the *Dutch* Ambassadors Packet, who deliveren it accordingly, but it was denied to be read in the House, because there was none present who could testifie they did see the Lord *Craven* subscribe it; He sent afterwards another Petition, but it was seven months before it could be read in the House; In the mean time his estate had been sequestred, his Woods cut down, and other spoils don; His Agents here to invalidat the Affidavit of *Faulkner* indited him of Perjury, which was clearly prov'd in open Court, and the originall Petition was produc'd, which was written by *Faulkner* himself, wherein there was not one syllable that spoke of the Parlement; There was legall proof also made that *Craven* had nothing to do with that Petition; This Inditement of perjury being found against *Faulkner* by the grand Jury, the Parlement was inform'd therewith, yet neretheless a Bill pass'd for sale of the Lo. *Cravens* Estate, and Surveyors sent accordingly to the Countrey; *Faulkner* being thus convicted of Perjury, it was prov'd

alſo in Court what a nefarious Atheiſticall and moſt wicked fellow he was both in his words and actions, how he had nothing more common in his mouth, than *dam me, blood and wounds, and buggring of his ſoul to Hell*; It was prov'd that at *Peterſfield* hee *drank a health to the Devil*, and that hee ſhould ſay our *Saviour was a Baſtard, and but a Carpenters ſon, carrying a Basket of tools after his Father*; The Parlement was acquainted with all this, and divers earneſt and ſedulous applications that poſſibly could be made were us'd, but nothing wold prevail.

The Lord *Craven* finding the Houſe ſo inexorable, and obdurated, rather than ſo fair an Eſtate ſhold be cantoniz'd and ſquandred into ſo many hands, he propos'd by way of humble Petition, that the Houſe wold puniſh him by way of pecuniary *mulct*, and there were two able Knights attending the Door ready to undertake the payment thereof, which motion the Lord *Generall*, now Lord *Protector*, did moſt nobly advance: yet all would not do, but the Surveys of the Eſtate being return'd, the Bill of Sale was compleated, and ſome of the *Members* of the Houſe ſtepp'd in with the firſt to buy the flour of his Lands to the value of 6000 *l. per Annum*, as appears by the con-

contracts made at *Drury* Houſe in their own names: That goodly Houſe at *Cauſam* neer *Reading* being in excellent repair, was bought by ſome, who for greedy lucre, and gain utterly defac'd it, they pull'd down the Waynſcots, Stair-caſes, Lead, Iron, and all other materials about the Houſe, which had coſt above 20000, *l.* yet they gave the Common-wealth but little above 1500 *l.* in moneys for it, the price of Debenters therein alſo included.

Polyander.

Truly Sir, it was one of the hardeſt peeces of injuſtice I ever heard of, that ſuch a Princely Eſtate (for I heard by divers, that had the Lord *Craven* enjoy'd it to this day, it would have amounted to above 20000 *l. per Annum*) a Revenue that I know ſome *ſoverain* Princes come ſhort of; I ſay it was a ſad thing, that by the ſingle teſtimony of one man, and he ſuch a perjur'd notorious villain as it was apparently prov'd, ſuch an Eſtate ſhold be deſtroy'd.

Philanglus.

A ſad thing indeed, but beſides thoſe pregnant proofs which were produc'd and made good in open Court, that abominable wretch being lately upon his death bed in the Kings Bench, confeſs'd all under his own hand, and what monſtrous wrong he had don the Lord *Craven*.

But I will proceed now to the other Instance I promis'd you.

The unlucky War 'twixt King and Parlement being begun about the Commission of Array, the City of *Exceter* was beleager'd by Sir *Tho. Fairfax*, which at last rencer'd her self upon Article; It chanc'd Sir *John Stawell* was then in the Town; A full agreement being made, the Capitulations sign'd and seal'd, and the place yeelded, Sir *John* came to *London* in due time to reap the benefit of the Articles which were solemnly confirm'd and ratified by both Houses of Parlement; Now, two of those Articles were, that no *Oath, Covenant, Protestation, or Subscription shold be impos'd upon any person, compriz'd within those Articles, but only such as shold bind them from bearing Arms for the future against the Parlement.*

2. *That all persons compriz'd in those Articles, having made such a subscription, should be admitted to a moderate Composition, which was not to exceed two yeers value of any mans reall estate, &c.*

Sir *John Stawell* having subscrib'd accordingly, and brought a Copy of his Subscription, as also a fair Certificat from Sir *Tho. Fairfax* that he was compriz'd in *Exon* Articles, made his address to *Goldsmiths* Hall, and producing the said Certificat and

and subscription, he Petition'd that he might be admitted to compound according to Article; The Commissioners answer'd, that he was not capable of Composition unless he wold take the *Covenant*, and Negative Oath, whereunto he modestly reply'd, that there was no Article for that, but rather *è contrario*; whereupon he was not only barr'd of his Composition, but he was sent Prisoner to *Ely* House; Afterwards by the *sole* order of the House of Commons, he was committed to *Newgate* for high Treson, in levying Warre against the Parlement; where he continued almost four years, in which time he was severall times indited of Treson, and twice arraign'd at the K. Bench Bar for his life; Then was He remov'd from *Newgate* to the *Tower* and kept close Prisoner, whence he was several times convented before the High *Court of Justice*, which had bin newly erected, who after many dayes triall wold neither *sentence* him nor *acquit* him, but only certified their proceedings to the Parlement.

Now Sir, you must know, that presently upon the taking of *Exceter*, his whole estate was sequestred, and continuing so above 7. yeers, he being not allow'd one peny to put bread in his mouth, whereby he visibly lost above 30000 *l.* which he humbly pray'd

 might

might satisfie for his Composition which would not have amounted to the sixth part so much according to Article; He was not only denyed that, but a *nigrum Theta*, a black Bill was voted for selling away his whole Estate; A little after, an *Act* being pass'd, and Commissioners appointed for the *relief of prisoners upon Articles* in time of War, Sir *John* made his addresses unto them, and after above ten Months debate of the business, the whole Court (consisting of eight Commissioners) delivered their opinions cleerly, that Sir *John Stawell* was within the Articles of *Exon*, that he had not broken any of those Articles ever since, but exactly observ'd and perfo m'd them, that consequently He was not only to have his person unmolested, and his whole Estate *restor'd him*, but to have *satisfaction* for the great losses he had receiv'd while his Estate lay under Sequestration, *&c.*

This cleer and positive Judgment being pronounc'd solemnly by the Court of Articles, and the *Demurrers* which the Trustees appointed to sell forfaired Estates, and the Pourchasers of Sir *John Stawells* Lands had made being *over-rul'd*, yet the Parlement resum'd the business, revers'd the sentence of that Court they themselfs had authoriz'd, and voted that the Pourchasers should

should quietly enjoy and occupy according to their severall Contracts, what they had bought of Sir *John Stawells* Estate.

Polyander.

Good Lord, what a world of hardships, did that noble Knight undergo, as to be so toss'd from Prison to Prison, from Bar to Bar, yet to be found guilty no where, yea, to be pronounc'd *Rectus in curia*, nevertheless to have a sentence of *civil death* pronounc'd against him, *viz.* the loss of so fair and noble an Estate as any in the West of *England*, by the mischievous practice of a *Member* of the House, who, as I heard, profess'd most friendship unto him; But was there no more care to observe Articles of Warre which is held a sacred thing among Pagans and Infidels? The *Turk* and *Tartar* in this point will keep faith with the *Sword* as well as with the *Cimiter*, with the *Hat* as well as with the Turban or Shash.

Philanglus.

Herein a difference may be say'd to have bin 'twixt *Generalls*, for the *Presbyterian* Generalls did not much care how their Articles were broke or kept; but his Highness who is now Lord *Protector*, was very carefull for the observation of what *Articles* he made, and clash'd about it more than once with the Parlement.

Polyander.

Truly Sir, you have related many horrid things, which might make the word *Parlement* merit the same *fate* that befell *Tyrant*, or *Sophister*, and other words, which were good at their first institution, but afterwards came to be odious and reproachful, and will continue so to the Worlds end. But 'tis much that the *Parlement* which shold be the great *Physician* of the Common-wealth shold becom such a *Mountebank* and Quack, that in lieu of making up the ruptures 'twixt King and Peeple, and stopping the *Leaks* in the great *Vessel* of the *State*, they shold cause more; that like *Banbury* Tinkers in lieu of stopping one hole they shold make two.

There is a saying, that *Infœliciter ægrotat cui plus mali venit à medico quam à morbo*; That Patient is in a sad case, who receives more hurt from the *Physician* than from the Disease, more mischief from the remedy than from the malady; 'tis better for one to endure a little head-ach, than to have his pate broken.

Philanglus.

I could produce hundreds of Instances more, what monstrous irregularities, and palpable oppressions of all kinds were committed by the late *long* Parlement, but that they

they bear no proportion with this small volume; yet I cannot omit to acquaint you with one one or two more, which are able to transform a man to wonder; One of the *members* of the House (whose Father had rise by the Court) having spoken som slighting and high tresonable words of the King, & his Issue, was therupon committed, but he was enlarg'd again with great applause, and came afterward to be such a Minion of the House, that he had in two several Grants 1000 *l.* lands a yeer of good Inheritance conferr'd upon him, which lands are thought to be worth twice as much in tru value; Now, though the said *Member* had many crying, and clamorous debts, wherof som wer complain'd of to the House, yet ther was a clause in the said Grants that the said lands which the Parlement of *England* had pass'd over to the said *Member* shold be exempt, and free from all kind of *Statuts*, *Executions*, *Judgments*, *Recognizances*, *Book debts*, or any other encombrance of what nature soever; Since that time, the said *Member* being a prisoner in the Upper Bench lives, and Lords it there in a high plentiful manner upon the foresaid lands, while som of the Creditors are ready to starve for hunger.

Polyander.

This is a sad story, wherunto I shold hardly

hardly give credit, unless I had it from so good a hand as your; For what a horrid thing was it, that those who pretended to be *Legum latores*, shold prove such notorious *legum violatores*, and in so high a manner?

Philanglus.

The other Instance is of the *Farmers* of the Custom House, which was thus; The foresaid Long Parlement, after they had sate a few months, fell into strange distempers, and insolencies, their chiefest scope being (after the *Church*) to *pull down*, at least to prune, and pare close the *Prerogative Royal*, but wanting money to drive on the work they had cut out, they questioned all Officers wher they smelt wealth, specially the Farmers of the Custom House, for intermedling with the Customs, and Imposts, pretending it was contrary to law, though never any Farmers were punish'd, or questioned in *England* in that kind before, since the world began, but divers had receav'd the said Customs by way of Contract, with the Soveraign Prince in like manner, nor was it possible indeed for any King of *England* to subsist, or protect and govern his people without them, they being for many Ages so *habitually* inherent in the Crown.

But

But the present Farmers finding the pulse of the Members to beat so high, and that it began to be a crime in that time to be rich, being also *threatned* with sequestrations if they did not conform, they thought fit unfate to dispute the merit of the cause, though *revera* there was no material positive law at all, no not any the least precedent to prohibit the farming, and receiving the said Customs, and 'tis a rule yea even among the wild *Arabs*, *Wher ther is no law ther can be no transgression*; yet the Farmers advis'd, and ca'oll'd by som of the chief Members themselfs, and encourag'd by *Him* who first started the busines in the Parlement, that if they complyed with the plesure of the House in this point, they shold be be sure to have satisfaction for the great arrears the King owed them, I say they suddenly submitted to a Composition of *One hundred and sixty five thousand pounds*, besides other sums challeng'd before *tertio Caroli* upon the like score (wherwith divers particular leading Members did finely lick their fingers) One hundred and fifty thousand pounds of this was charg'd upon those that wer call'd the Old Farmers, *viz.* Sir *Paul Pindar*, Sir *John Jacob*, *and his Father*, Sir *John Worstenholm*, and Sir *Abraham Daws*, though the *three last* wer quiet in their

their graves, yet the *long* Parlement knock'd at their tombs, and made them pay to the utmost peny; but of what dangerous consequence it is to invent a fine for dead mens faults let the world judge; The other fifteen thousand pounds was charg'd upon the Farmers then in being, *viz.* Sir *John Jacob*, Sir *Thomas Daws*, Sir *Job Harvey*, Sir *Nicolas Crisp*, and Sir *John Nulls*, unto whom by new proposition of Contract for four years, were to be joyn'd Sir *Paul Pindar*, Sir *John Harrison*, the Lord *Goring*; But the next day that the Composition was reported to the House, the said Contract was voted void, all the Assignments upon the said rents were made null, and the Customs were to be diverted to another chanel, *viz.* to such uses as the Parlement shold please.

Then the King being unfortunately *rabbled* away from his Court at *Westminster* by the riffraff of the City, the Parlement conniving at it, they commanded still the same Farmers to continue the receaving of the Customs, though point blank against the law passed before by themselfs, wherby the penalty was a *Præmunire* at least, for receaving the Customs without a law, so they were authoriz'd, and commanded to commit the same transgression, and by the same

same men who had so severely punish'd them for it a little before: Thus even Crimes themselfs have their seasons, and times of favor.

The said (extorted) Composition amounting to half a million by the common account of current money abroad, was payed in the compass of two months, and then the Parlement encourag'd and caress'd the Farmers as their white boys with all the assurance that could be that they wold take into due consideration the Gran debt the King owed them, which amounted to above two hundred thousand pounds, and was lent before the *long* Parlement began, for which they had Forrest lands for their security, but from that day to this they never had peny satisfaction, nor have they now either Heir, Executor, or Administrator, for that vast sum, (a sum able to make twenty *Aldermen*) It being due from *Him* whose life the Parlement took away, and whose goods they sold to their own advantage, but what double dealing, and base cheats were used in the sale of his goods 'tis impossible to imagine greater.

Thus those gallant weighty Men whose credit was countervailable to a *public bank*, and held then as good as the *Chamber of London*,

London, were left not only to the loſs of liberty, but to the hazard of that immortal ſhame of *Bankrupts* for thoſe debts which that long Parlement ha engag'd it ſelf to ſatisfie; Perſons that were ſo great an Ornament to the City and State, for ſo the *Roman* Orator calls the Collectors of the public Treſure, *Civitatis Ornamentum, Reipublicæ firmamentum, Equitum primores qui publicanorum ordine continentur* (as a worthy Knight doth obſerve) though ſom in the Houſe went about to beſpatter them.

This hard dealing made ſo deep impreſſions upon Sir *Paul Pindar* though a ſolid wiſe Knight (who had don ſo many *unknown*, as well as *public* great deeds of charity and piety) that it ſhortned his days; Sir *John Jacob* a perſon of choice breeding, and extraordinary worth, ſuffer'd in his eſtate *viis & modis* nere upon a hundred thouſand pounds, he being the *Cuſtomer of London*, (the only legal, and ancient Office,) being alſo Collector of the prætermitted Cuſtoms, and of the Impoſt of Tobacco, which Office he had for two lifes; At the beginning of the long Parlement he had by deſcent and acquiſition at leaſt 3000 *l. per annum* good rent,

rent, which is now mouldred, or rather melted away by the heat of perſecution to 600 *l.* and that 600 *l.* alſo muſt go to ſecure the late Compoſition with the rigid Creditors, notwithſtanding that it may be call'd the only plank wheron he, and *nine children* are caſt aſhore after the ſhipwrak of ſo fair a fortune.

What a great ſufferer herby hath Sir *Nicolas Crisp* bin, ſo well ſpirited, and diſcrete a perſon, who hath ſo well deſerv'd of his Countrey by enriching it with ſo much *African* gold, by the truck and vent of *Engliſh* Commodities of ſo ſmall value, as alſo by many other uſeful Inventions; Sir *Job Harvey* with others may be ſaid to be utterly ruin'd herby, being proceeded againſt by mercileſs Creditors, who have fallen with all violences upon them even to the Statuts of Bankrupts, intended fos knaves, cheaters, and rogues, which among all Nations but this wold admit of equity; Nor under favor doth it become the *Pepper men* of the *Eaſt India* Company to proſecut ſuch worthy men with ſo much rigor, and inhumanity; they ſhold rather remember the brocage of their own advantage, when they made that huge bargain for themſelfs with the King,

King: They might also call to mind how many have suffer'd by them hertofore in point of account, and that it may be the case of som of themselfs another day.

I have insisted the longer upon this relation, because it concerns so many worthy known Gentlemen, who wer destroyed by the Public Faith, and none-performances of the promises of the *long* Parlement; And by a law which never had any being, for no law can speak until it be born, nor doth tru Justice ever use to punish any Action, elder then the Law. Therfore ther's no doubt but his Highness will take into his Noble consideration the condition of these worthy Gentlemen in his good time; Now, for a Corollary to this Paragraph; I will add this notable passage which reflected also upon the Farmers.

The *long* Parlement having intercepted a Letter from Mrs. *Seymer*, one of her Majesties chief Maid of Honor then at *Oxford*, written to Sir *Paul Pindar* for the interest of 5000 *l.* in the Farmers hands, she was the next morning made a Delinquent, and the Farmers then here wer summon'd to pay this 5000 *l.* presently to the House, they

they humbly desire the bond, Answer was made that an Ordinance of Parlement shold secure *Them* against that bond; they disputed it a while with all civility, but the House threatning them, and having made a Sequestration of their Estates, to that purpose, they submitted at last to pay it in; upon which the sequestration was taken off; the honorable young gentlewoman being return'd to *London*, demanded her money, as she had good reson to do, and sued the Farmers in Chancery, where she recovered most of her money, and the Farmers never had peny satisfaction from the Parlement to this day.

Polyander.

Is it possible that those men who pretended so much to Religion, and conscience shold do such hideous things?

Philanglus.

Yes, yet ther breaths not a Soul *Inter quatuor maria* twixt *Great Brituins* four Seas, who hath a more *venerable* opinion of *Parlements* than I, having had the honor to have bin a good while a *small part* thereof; They wer us'd to be the *bulwark of our liberties, the main banks and boundaries which kept us from slavery, from the inundation of Arbitrary Rule, and unbounded Will-Government*; This high superintendent Court at its first

Constitution was us'd to be compar'd to the *Macrocosm* the Great world it self, The *Severain Magistrat* was compar'd to the *Sun*, the *Nobles* to the fixed *Stars*, the *Judges*, and other Officers who went with Messages 'twixt both Houses, to the *Planets*, The *Clergy* to the Element of *Fire*; The *Commons* to the solid Mass of *Earth*; And as the Hevenly bodies when three of them meet in Conjunction, use to produce som admirable effects in the Great world, so when the *three States* did use to convene and assemble in one solemn great *Junta*, som notable and extraordinary things wer us'd to be brought forth tending to the welfare of the whole Kingdom.

Now, ther wer three Essential properties that belong'd to Parlement, *viz. Fairness of Election, fulness of members, and freedom of speech*; 'Tis two well known how little of all these three were found in the late long Parlement, specially of the last, to wit, *liberty of speech*. For none was permitted to speak unless he spoke still to the *sense of the House, to the sense of the House*, which was a pure restraint, and a sealing up of ones mouth; what a deal of time was spent in banding of answers, in Remonstrances, in replies, rejoinders, and descanting upon words? so that the first 16 months wer spent meerly in cho p-

chopping Logic with the King, and nothing at all don; For *fulness of Members*, they wer purg'd at last very low, so that ther was scare the tenth part of what they shold have been in nomber. The King offer'd to give them but a little purge of five or six Drams, but it was furiously cast away because ther was too much *Basilicon* in it, Then ther was a purge of *eleven* drams given them, wherin ther was som *unguentum Armarium* that cures a far off, which made som of them to fly t'other side of the Sea, wher one *Member* assoon as he put foot on shore, fell sick of the Plague, and so was buried no better than in the Town-ditch in *Calais*, because he had first infected the place; But at last they had a good sound Purge as big as a *drench* administred them, which Purg'd away above a hundred Members at once, and by *Pride* they wer tumbled down into *Hell*, yet all this wold not do, for som Members wer grown so corrupt and putrid, that nothing cold cure the House but an utter *Dissolution*; according to the old saying,

——————*Immedicabile vulnus*
Ense recidendum——————

Which great Dissolution was made *without the shedding of one tear, or drop of blood*, as

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the *Portugal* Ambassador sent word to *Lisbon*; for *England* had been long weary of her *Physitians*, who had they continued longer, might have made her say as *Alexander* the Great did on his death-bed, *Perii turba Medicorum*, I die of too many Physitians.

Polyander.

Touching *fulness of Members* I heard it censur'd by som Critics beyond the Seas, for a Solœcism in the *English* Government that they are so many, but specially that the *Burgesses* shold exceed the *Knights*; you know *Trop gran nombre est encombre*, Too great a nomber ushers in nothing but confusion, encombrances, and noise, which oftentimes was so extremely loud and obstreperous among them, that as I was told they wer heard at *Lambeth*, ther could not be a greter among the Oyster-women at *Billings-Gate*. Now Sir, ther may be Tyranny in *One*, in a *Few*, and in *many*; In *one*, as in the Great *Turk*, (and indeed all the Eastern Emperors) who with his breath alone, without any legal process, can take any ones life away; and is sole Proprietor of the whole Countrey, In so much that the best man in Turky cannot leave one foot of land as an Inheritance to his Son, but it reverts to the Gran Signor.

Secondly, Ther may be Tyranny in *few*, as in the thirty men of *Athens*, or in som Privy Councel of State, *&c.*

Lastly,

Lastly, ther may be Tyranny in *many*, as in som General great Convention or popular Assembly, and this is the worst of all, it being a Rule, that *Plebs est pessimus Tyrannus*, the peeple is the worst of Tyrants.

Philanglus.

The late *long* Parlement degenerated to such a one, wherof thousands of instances might be produc'd, Let this one serve at present, The Army had occasion to make their addresse to the House, upon a businesse of a just and general concernment; But the Grandees of the House answer'd, *That if they shold read those demands, they might chance to find them of that nature, as they could not with justice deny them, nor with honor grant them, &c.* But herin they shew'd themselfs but poor Polititians, for you know, It is a tru Rule ——— *Arma tenenti, Omnia dat, qui justa negat.* And was it not time then for the Army to think of dismissing their Membership? But the truth is, that if you go to the right rule of Parlement, they had dissolv'd themselfs, I cannot tell how often before, for besides that the Original Writ from whence they deriv'd their power was void by the Kings death, how often did they rise up in confusion without adjourning the House? how oft did they sit without a Speaker, He being fled to

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the Army? How many hundred ways did they break their own privileges? what things did they do which they voted shold not serve for Precedents heratter? as *Straffords* death, and sitting on Sunday, *&c.* How many Bills wer resum'd being 'twice ejected out of the House of Peers? as those against *Bishops*, and touching the *Militia? &c.* yet wer they taken into debate again the same *Session*, which is point blank against the very fundamentals of Parlement; How many thousand Petitions (som wherof wer recommended by the Lords) lay mouldring in corners, and wer never as much as read in the House? And was it not high time think you to quell this *Monster?* or rather to pull down this *Idol?* truly this great prudential Act of shutting up that *House*, and the barring up of that cold Postern *dore* in the *North*, may well take place among those many mighty things his *Highness* had don.

Polyander.

They are mighty things indeed, and they are marvailous in our eyes; Nor do these *Iles* only, but every corner of the habitable Earth ring thereof; nay the Sea swells high with the breath of them; *England* may be said to be hertofore like an animal that knew nor her own strength, She is now better

better acquainted with her self, for in point of *power* and *treasure* she did never appear so high both at home and abroad, by Sea and Land, as you said before; This made *France* to cringe unto her so much; This made *Spain* to offer her peace with *Indian* Patacoons upon any terms; This makes the *Hollander* to dash his Colours, and vail his Bonnet so low unto Her; This makes the *Italian* Princes, and all other States that have any thing to do with the *Sea* to court her so much, Though the Emperor, and the *Mediterranean* Princes of *Germany*, whom she cannot reach from her Port-holes, care not much for her.

Now, Sir, among those many Heroik and difficult exploits of divers kinds which his Highness hath perform'd, there is one Act (humbly under favour) may well become the greatnesse of his spirit, It is to reach a timely hand for preserving the stately Temple of *Pauls* from tumbling down, and from being *buried* in her own *rubbish*; A Temple which hath above a thousand yeers tugg'd with the fury of the Elements, and the Iron teeth of *Time*, The goodliest pile of stones in the World, take all *dimensions* together,

Polyander.

'Tis also the greatest and most visible ornament of this renowned City, who would look bald, and as it were Crest-faln without Her; A Temple that hath this singularity above all others, as to be founded upon *Faith*, having a spacious Church of that *name* underneath to serve and support Her; I remember it was observ'd how in that disastrous expedition to the Isle of *Rhe* the great stones which were design'd to repair *Pauls*, were carryed away to make ballast for Ships, and for other warlike uses in that service, which made some judicious Critiques of those times to foretell the unlucky and inglorious return we made thence. Some giddy headed Puritan in reading this will presently shoot his bolt, and cry out, that I have a Pope in my belly, but you know my Intellectuals better.

Philanglus.

I know well Sir, your principles are otherwise; but I concur with you in opinion, that it would be a very glorious thing to atchieve such a work, and one moneths Tax or two would do it, or if his Highness would give way, that a generall contribution might be made to that purpose; Other vast sums are daily spent, but little or

or nothing appears of them afterwards in point of effect, Those moneys that would be employ'd in this, will leave something behind them, *viz.* a glorious visible Monument to all posterity, which will make after ages to blesse these times.

Polyander.

Such a Monument would suit well with the grandeur of his Highness, whom all Nations cry up for the *Hero* of the times, and a speciall Instrument design'd for great Actions; He would gain the applause of millions of souls hereby both at home and abroad, where I have heard divers, who are far from thinking any *inherent* holiness to lodge in stones or inanimate things, I say I have heard divers of the reformed Churches, sadly complain, that *Pauls* in the case it is, is the ruthfullest spectacle upon earth.

But now Sir, I take leave to give you serious thanks for the elaborat relation you have been pleas'd to make me of the proceedings of that long Parlement, which in lieu of redressing grievances, became it self at last the greatest *grievance*. As also of the practice and modesty of Parlements in former times, who declin'd high affairs of *State*, specially *forren*, much more to arrogat to themselfs the *supreme* power; for

for *Soverainty* may be ſaid to be an *indiviſible* ray deriv'd and darted from the *Divine* Majeſty it ſelf, it cannot be divided among a multitude; we never read that the *peeple* were call'd *Gods*, or the *Lords anointed*, or *nurſing Fathers*, nor do we read of any *Ariſtocracies*, *Oligarchies*, or *Democracies* at all in the holy Scriptures. Therefore I aſcribe to his judgment who holds that the firmeſt and moſt *compendious* way of Government is when the ſupremacy reſides in one *perſon*, whom the peeple ought to truſt by an indiſpenſable neceſſity for their own advantage, in ſteering the great Veſſel of the Common-wealth, with the advice of a ſelect *Councell*; And herein a ſtate may be compar'd to a *Gally*, wherein ſome are to obſerve the *Compaſs*, others to furl the *Sayls*, others to handle the *ropes*, others to tug at the *Oar*, others to be ready in *arms*, yet there is but one *Pilot* to ſit at the Helm. It is requiſit alſo that this ſingle perſon ſhold be attended with a ſtanding viſible veteran Army to be *payd* well, and *puniſh'd* well if there be cauſe, to *awe* as well as to *ſecure* the peeple, It being the greateſt ſolœciſm that can be in Government to depend meerly upon the affections of the *peeple*, for there is not ſuch a wavering windy thing, not ſuch an humorſom and croſs-grain'd Animal in the World as the

the *Common peeple*; And what Authors ſoever either *Greek* or *Latin* have pretended to policy, affirm ſo much in their writings. There be divers modern Sciolists, that buſie their brains to preſcribe Rules of Government, but they involve the Reader in *univerſals*, or rather bring him to a labyrinth of diſtinctions, whereby they make the *Art of Maſtring man* to be more difficult, and diſtracted, than it is in it ſelf.

Philanglus.

SIR,

Touching the account you ſpeak of, that I have endevor'd to render of the traverſes that happen'd for matter of fact during the Raign of the *Long* Parlement, I have given you but curſory ſhort touches; There wold be ſubject enough for ſo many Tomes as would make a Library of it ſelf, if one ſhould relate all; But for Inferences and conclusions in point of Judgment, which may be drawn out of what hath bin ſaid already, I leave that to be done in the cloſet of every ones privat Conſcience, who with an impartiall eye ſhall pry into theſe *Inſpections*.

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An *ADVERTISEMENT.*

LEt the discerning *Reader* be pleas'd to know, that, whereas in the foregoing *Conference*, there are some free touches, at divers things happen'd in the late long Parlement, What is spoken that way, is spoken with this Restrictive *Rule* of the *Logician*: *Non de singulis Generum, sed de Generibus singulorum*: It is well known, there sate there as prudentiall, and well-temper'd men as *England* affords, whose chiefest aim was the Common good: The former Discourse is far from meaning such noble Patriots, but only *Those* who having tasted the sweetnesse of Authority, (and *Authority* is sweet though it be among the Devils, as the *Spaniard* saith) thought to immortalize that Session, and make themselfs *perpetual Dictators*.

——Πάντοθε δόξα Θεῷ.

FINIS.