

‘ Papists, but were of the Protestant Religion, and
 ‘ that by their taking of the Oaths of *Allegiance* and
 ‘ *Supremacy*, and the *Test*; yet these Evil Coun-
 ‘ sellors have in effect annulled and abolished all
 ‘ those Laws, both with Relation to Ecclesiastical
 ‘ and Civil Employments.

‘ 7. In order to Ecclesiastical Dignities and Offices,
 ‘ they have not only without any Colour of Law,
 ‘ but against most express Laws to the contrary, set
 ‘ up a Commission, of a certain Number of Persons,
 ‘ to whom they have committed the Cognizance
 ‘ and Direction of all Ecclesiastical Matters; in the
 ‘ which Commission there has been, and still is
 ‘ one of his Majesty’s Ministers of State, who
 ‘ makes now publick Profession of the Popish Reli-
 ‘ gion, and who at the time of his first professing
 ‘ it, declared that for a great while before he had
 ‘ believed that to be the only true Religion. By all
 ‘ this, the deplorable State to which the Protestant
 ‘ Religion is reduced, is apparent, since the Affairs
 ‘ of the Church of *England* are now put into the
 ‘ Hands of Persons who have accepted of a Com-
 ‘ mission that is manifestly illegal, and who have
 ‘ executed it contrary to all Law; and that now one
 ‘ of their chief Members has abjuri’d the *Protestant*
 ‘ *Religion*, and declared himself a *Papist*; by which
 ‘ he is become incapable of holding any publick
 ‘ Employment. The said Commissioners have hi-
 ‘ therto given such Proof of their Submission to the
 ‘ Directions given them, that there is no Reason to
 ‘ doubt, but they will still continue to promote all
 ‘ such Designs as will be most agreeable to them.
 ‘ And those Evil Counsellors take Care to raise none
 ‘ to any Ecclesiastical Dignities, but Persons that
 ‘ have no Zeal for the *Protestant Religion*, and that
 ‘ now hide their Unconcernedness for it, under the
 ‘ specious Pretence of *Moderation*. The said Com-
 ‘ missioners have suspended the Bishop of *London*,
 ‘ only because he refused to obey an Order that was
 ‘ sent him to suspend a worthy Divine, without so
 ‘ much as citing him before him to make his own
 ‘ Defence, or observing the common Forms of Pro-
 ‘ cess. They have turned out a President chosen by
 ‘ the Fellows of *Magdalen* College, and afterwards
 ‘ all the Fellows of that College, without so much
 ‘ as citing them before any Court that could take
 ‘ legal Cognizance of that Affair, or obtaining
 ‘ any Sentence against them by a competent Judge.
 ‘ And the only Reason that was given for turning
 ‘ them out, was their refusing to chuse for their
 ‘ President, a Person that was recommended to them
 ‘ by the Instigation of those Evil Counsellors; tho’
 ‘ the Right of a Free Election belonged undoubted-
 ‘ ly to them. But they were turn’d out of their Free-
 ‘ holds contrary to Law, and to that express Provi-
 ‘ sion in the *Magna Charta*, *That no Man shall lose*
 ‘ *Life or Goods, but by the Law of the Land*. And
 ‘ now these Evil Counsellors have put the said Col-
 ‘ lege wholly into the Hands of Papists, tho’ as is
 ‘ abovesaid, they are incapable of all such Employ-
 ‘ ments, both by the Law of the Land, and the
 ‘ Statutes of the College. These Commissioners
 ‘ have also cited before them all the Chancellors and
 ‘ Archdeacons of *England*, requiring them to cer-
 ‘ tify to them the Names of all such Clergymen as
 ‘ have read the King’s Declaration for *Liberty of*
 ‘ *Conscience*, and of such as have not read it; with-
 ‘ out considering that the reading of it was not in-
 ‘ joined the Clergy by the Bishops, who are their
 ‘ Ordinaries. The Illegality and Incompetency of
 ‘ the said Court of the Ecclesiastical Commissio-
 ‘ ners was so notoriously known, and it did so evi-

‘ dently appear that it tended to the Subversion of
 ‘ the *Protestant Religion*, that the most Reverend
 ‘ Father in God, *William* Archbishop of *Canterbury*,
 ‘ Primate and Metropolitan of all *England*, seeing
 ‘ that it was raised for no other End but to oppress
 ‘ such Persons as were of eminent Virtue, Learning
 ‘ and Piety, refused to sit, or to concur in it.

‘ 8. And tho’ there are many express Laws against
 ‘ all Churches or Chapels for the Exercise of the
 ‘ Popish Religion, and also against all Monasteries
 ‘ and Convents, and more particularly against the
 ‘ Order of the *Jesuits*; yet those Evil Counsell-
 ‘ lers have procured Orders for the building of se-
 ‘ veral Churches and Chapels for the Exercise of
 ‘ that Religion. They have also procured divers
 ‘ Monasteries to be erected; and in Contempt of
 ‘ the Law, they have not only set up several Colleges
 ‘ of *Jesuits* in divers Places for the corrupting of
 ‘ the Youth, but have raised up one of the *Order*
 ‘ to be a Privy-Counsellor, and a Minister of State.
 ‘ By all which they do evidently shew, that they
 ‘ are restrained by no Rules of Law whatsoever;
 ‘ but that they have subjected the Honours and
 ‘ Estates of the Subjects, and the establish’d Religion
 ‘ to a Despotick Power, and to Arbitrary Govern-
 ‘ ment. In all which they are served and seconded
 ‘ by those Ecclesiastical Commissioners.

‘ 9. They have also follow’d the same Methods
 ‘ with relation to Civil Affairs; for they have pro-
 ‘ cured Orders to examine all Lords-Lieutenants,
 ‘ Deputy-Lieutenants, Sheriffs, Justices of Peace,
 ‘ and all others that were in any Publick Employ-
 ‘ ment, if they would concur with the King in the
 ‘ Repeal of the *Test* and *Penal Laws*; and all such
 ‘ whose Consciences did not suffer them to comply
 ‘ with their Designs, were turned out, and others
 ‘ were put in their Places, who they believed would
 ‘ be more compliant to them in their Designs of
 ‘ defeating the Intent and Execution of those Laws
 ‘ which had been made with so much Care and
 ‘ Caution for the Security of the *Protestant Religion*.
 ‘ And in many of these Places they have put pro-
 ‘ fessed Papists, tho’ the Law has disabled them,
 ‘ and warranted the Subjects not to have any Re-
 ‘ gard to their Orders.

‘ 10. They have also invaded the Privileges, and
 ‘ seized on the Charters of most of those Towns
 ‘ that have a Right to be represented by their Bur-
 ‘ gesses in Parliament, and have procur’d Surrenders
 ‘ to be made of them, by which the Magistrates in
 ‘ them have delivered up all their Rights and Pri-
 ‘ vileges, to be disposed of at the Pleasure of those
 ‘ Evil Counsellors, who have thereupon placed new
 ‘ Magistrates in those Towns, such as they can most
 ‘ intirely confide in; and in many of them they
 ‘ have put Popish Magistrates, notwithstanding the
 ‘ Incapacities under which the Law has put them.

‘ 11. And whereas no Nation whatsoever can
 ‘ subsist without the Administration of good and
 ‘ impartial Justice, upon which Mens Lives, Liber-
 ‘ ties, Honours and Estates do depend, those Evil
 ‘ Counsellors have subjected these to an Arbitrary
 ‘ and Despotick Power. In the most important
 ‘ Affairs, they have studied to discover, before-hand,
 ‘ the Opinion of the Judges, and have turned out
 ‘ such as they found would not conform themselves
 ‘ to their Intentions, and have put others in their
 ‘ Places, of whom they were more assured, without
 ‘ having any Regard to their Abilities. And they
 ‘ have not stuck to raise even professed Papists to the
 ‘ Courts of Judicature, notwithstanding their Incapa-
 ‘ city by Law, and that no Regard is due to any Sen-
 ‘ tences

‘ tences flowing from them. They have carried this
 ‘ so far, as to deprive such Judges, who in the com-
 ‘ mon Administration of Justice, shewed that they
 ‘ were governed by their Consciences, and not by
 ‘ the Directions which the others gave them. By
 ‘ which it is apparent; that they design to render
 ‘ themselves the absolute Masters of the Lives, Ho-
 ‘ nours and Estates of the Subjects, of what Rank
 ‘ or Dignity soever they may be; and that without
 ‘ having any Regard either to the Equity of the
 ‘ Cause, or to the Consciences of the Judges, whom
 ‘ they will have to submit in all Things to their own
 ‘ Will and Pleasure; hoping by such Ways to in-
 ‘ timidate those who are yet in Employment, as
 ‘ also such others, as they shall think fit to put in
 ‘ the Rooms of those whom they have turned out;
 ‘ and to make them see what they must look for,
 ‘ if they should at any Time act in the least contrary
 ‘ to their good liking; and that no Failings of that
 ‘ Kind are pardoned in any Persons whatsoever. A
 ‘ great deal of Blood has been shed in many Places
 ‘ of the Kingdom, by Judges governed by those
 ‘ evil Counsellors, against all the Rules and Forms
 ‘ of Law, without so much as suffering the Persons
 ‘ that were accused to plead in their own De-
 ‘ fence.

‘ 12. They have also, by putting the Admini-
 ‘ stration of Justice in the Hands of Papists, brought
 ‘ all the Matters of Civil Justice into great Uncer-
 ‘ tainties; with how much Exactness and Justice
 ‘ soever that these Sentences may have been given.
 ‘ For since the Laws of the Land do not only exclude
 ‘ Papists from all Places of Judicature, but have put
 ‘ them under an Incapacity, none are bound to ac-
 ‘ knowledge or to obey their Judgments, and all
 ‘ Sentences given by them are null and void of them-
 ‘ selves: So that all Persons who have been cast
 ‘ in Trials before such Popish Judges, may justly
 ‘ look on their pretended Sentences, as having no
 ‘ more Force than the Sentences of any private
 ‘ or unauthoriz’d Person whatsoever. So deplorable
 ‘ is the Case of the Subjects who are obliged to an-
 ‘ swer to such Judges, that must in all Things stick
 ‘ to the Rules which are set them by those evil
 ‘ Counsellors, who, as they raised them up to those
 ‘ Employments, so can turn them out of them at
 ‘ Pleasure, and who can never be esteemed lawful
 ‘ Judges; so that all their Sentences are in the
 ‘ Construction of the Law of no Force and Efficacy.
 ‘ They have likewise disposed of all military Em-
 ‘ ployments in the same Manner; for tho’ the Laws
 ‘ have not only excluded Papists from all such Em-
 ‘ ployments, but have in particular provided, that
 ‘ they should be disarm’d; yet they, in Contempt of
 ‘ these Laws, have not only arm’d the Papists, but
 ‘ have likewise raised them up to the greatest mili-
 ‘ tary Trust both by Sea and Land; and that
 ‘ Strangers, as well as Natives, and *Irish*, as well
 ‘ as *English*; that so by those Means, having ren-
 ‘ dred themselves Masters both of the Affairs of the
 ‘ Church, of the Government, of the Nation, and
 ‘ of the Courts of Justice, and subjected them all
 ‘ to a despotick and arbitrary Power, they might
 ‘ be in a Capacity to maintain and execute their
 ‘ wicked Designs, by the Assistance of the Army,
 ‘ and thereby to inflave the Nation.

‘ 13. The dismal Effects of this Subversion of
 ‘ the establish’d Religion, Laws, and Liberties in
 ‘ *England*, appear more evidently to us, by what we
 ‘ see done in *Ireland*; where the whole Govern-
 ‘ ment is put into the Hands of Papists, and where
 ‘ all the Protestant Inhabitants are under the daily

‘ Fears of what may be justly apprehended from the
 ‘ arbitrary Power which is set up there; which
 ‘ has made great Numbers of them leave that King-
 ‘ dom, and abandon their Estates in it, remembering
 ‘ well that cruel and bloody Massacre which fell
 ‘ out in that Island in the Year 1641.

‘ 14. Those evil Counsellors have also prevailed
 ‘ with the King to declare in *Scotland*, that he is
 ‘ cloathed with *absolute Power*, and that all the
 ‘ Subjects are bound *to obey him without Reserve*:
 ‘ Upon which he has assum’d an arbitrary Power
 ‘ both over the Religion and Laws of that King-
 ‘ dom; from all which it is apparent, what is to
 ‘ be looked for in *England*; as soon as Matters are
 ‘ duly prepared for it.

‘ 15. Those great and insufferable Oppressions,
 ‘ and the open Contempt of all Law, together with
 ‘ the Apprehensions of the sad Consequences that
 ‘ must certainly follow upon it, have put the Sub-
 ‘ jects under great and just Fears; and have made
 ‘ them look after such lawful Remedies as are al-
 ‘ lowed of in all Nations; yet all has been without
 ‘ Effect. And those evil Counsellors have endea-
 ‘ voured to make all Men apprehend the Loss of
 ‘ their Lives, Liberties, Honours, and Estates, if
 ‘ they should go about to preserve themselves from
 ‘ this Oppression by Petition, Representations, or
 ‘ other Means authoriz’d by Law. Thus did they
 ‘ proceed with the Archbishop of *Canterbury*, and
 ‘ the other Bishops, who having offer’d a most
 ‘ humble Petition to the King, in Terms full of Re-
 ‘ spect, and not exceeding the Number limited by
 ‘ Law; in which they set forth in short, the Rea-
 ‘ sons for which they could not obey that Order,
 ‘ which, by the Instigation of those evil Counsellors,
 ‘ was sent them, requiring them to appoint their
 ‘ Clergy to read in their Churches the Declaration
 ‘ for *Liberty of Conscience*; were sent to Prison,
 ‘ and afterwards brought to a Trial, as if they had
 ‘ been guilty of some enormous Crime. They were
 ‘ not only obliged to defend themselves in that Pur-
 ‘ suit, but to appear before profess’d Papists, who
 ‘ had not taken the *Test*, and by Consequence were
 ‘ Men whose Interest led them to condemn them;
 ‘ and the Judges that gave their Opinions in their
 ‘ Favours, were thereupon turned out.

‘ 16. And yet it cannot be pretended, that any
 ‘ Kings, how great soever their Power has been,
 ‘ and how arbitrary and despotick soever they have
 ‘ been in the Exercise of it, have ever reckon’d it
 ‘ a Crime for their Subjects to come in all Submissi-
 ‘ on and Respect, and in a due Number, not ex-
 ‘ ceeding the Limits of the Law, and represent to
 ‘ them the Reasons that made it impossible for them
 ‘ to obey their Orders. Those evil Counsellors
 ‘ have also treated a Peer of the Realm as a Cri-
 ‘ minal, only because he said, That the Subjects
 ‘ were not bound to obey the Orders of a Popish
 ‘ Justice of Peace; though it is evident, that they
 ‘ being by Law rendred incapable of all such Trusts,
 ‘ no Regard is due to their Orders. This being the
 ‘ Security which the People have by the Law for
 ‘ their Lives, Liberties, Honours, and Estates, that
 ‘ they are not to be subjected to the arbitrary Pro-
 ‘ ceedings of Papists, that are contrary to Law put
 ‘ into any Employments Civil or Military.

‘ 17. Both We ourselves, and our dearest and
 ‘ most intirely beloved Consort the Princess, have
 ‘ endeavoured to signify, in Terms full of Respect
 ‘ to the King, the just and deep Regret which all
 ‘ these Proceedings have given us; and in Com-
 ‘ pliance with his Majesty’s Desires signified to us,

‘ We

‘ We declared both by Word of Mouth, to his En-
 ‘ voy, and in Writing, what our Thoughts were,
 ‘ touching the Repealing of the *Test and Penal*
 ‘ *Laws*; which We did in such a Manner, that We
 ‘ hoped We had propos’d an Expedient, by which
 ‘ the Peace of those Kingdoms, and a happy Agree-
 ‘ ment among the Subjects of all Persuasions, might
 ‘ have been settled: But those evil Counsellors
 ‘ have put such ill Constructions on these our
 ‘ good Intentions, that they have endeavour’d to
 ‘ alienate the King more and more from us; as if
 ‘ We had design’d to disturb the Quiet and Happi-
 ‘ ness of the Kingdom.

‘ 18. The last and great Remedy for all those
 ‘ Evils, is *the Calling of a Parliament*, for securing
 ‘ the Nation against the evil Practices of those wick-
 ‘ ed Counsellors: But this could not be yet com-
 ‘ pass’d, nor can it be easily brought about. For
 ‘ those Men apprehending, that a lawful Parlia-
 ‘ ment being once assembled, they would be brought
 ‘ to an Account for all their open Violations of
 ‘ Law, and for their Plots and Conspiracies against
 ‘ the *Protestant Religion*, and the Lives and Liber-
 ‘ ties of their Subjects; they have endeavour’d,
 ‘ under the specious Pretence of *Liberty of Conscience*,
 ‘ first to sow Divisions among Protestants, be-
 ‘ tween those of the *Church of England* and the
 ‘ *Dissenters*: The Design being laid to engage Pro-
 ‘ testants, that are all equally concerned to preserve
 ‘ themselves from Popish Oppression, into mutual
 ‘ Quarrellings, that so by these, some Advantages
 ‘ might be given to them to bring about their De-
 ‘ signs; and that both in the Election of Mem-
 ‘ bers of Parliament, and afterwards in the Par-
 ‘ liament itself. For they see well, that if all Pro-
 ‘ testants could enter into a mutual good Under-
 ‘ standing one with another, and concur together in
 ‘ the preserving of their Religion, it would not be
 ‘ possible for them to compass their wicked Ends.
 ‘ They have also required all Persons, in the se-
 ‘ veral Counties of *England*, that either were in
 ‘ any Employment, or were in any considerable
 ‘ Esteem, to declare before-hand, that they would
 ‘ concur in the Repeal of the *Test and Penal Laws*;
 ‘ and that they would give their Voices in the Ele-
 ‘ ctions to Parliament, only for such as would con-
 ‘ cur in it. Such as would not thus pre-engage
 ‘ themselves, were turned out of all Employments;
 ‘ and others who enter’d into those Engagements,
 ‘ were put in their Places, many of them being
 ‘ Papists. And contrary to the Charters and Pri-
 ‘ vileges of those Boroughs that have a Right to
 ‘ send Burgesses to Parliament, they have ordered
 ‘ such Regulations to be made, as they thought fit
 ‘ and necessary, for assuring themselves of all the
 ‘ Members that are to be chosen by those Corpora-
 ‘ tions: And by this Means they hope to avoid
 ‘ that Punishment which they have deserved; tho’
 ‘ it is apparent, that all Acts made by Popish Ma-
 ‘ gistrates, are null and void of themselves. So that
 ‘ no Parliament can be lawful, for which the E-
 ‘ lections and Returns are made by Popish She-
 ‘ riffs and Mayors of Towns; and therefore as
 ‘ long as the Authority and Magistracy is in such
 ‘ Hands, it is not possible to have any lawful Par-
 ‘ liament. And tho’ according to the Constitution
 ‘ of the *English* Government, and immemorial
 ‘ Custom, all Elections of Parliament Men ought
 ‘ to be made with an intire Liberty, without any
 ‘ Sort of Force; or the requiring the Electors to
 ‘ chuse such Persons as shall be named to them;
 ‘ and the Persons thus freely elected, ought to give

‘ their Opinions freely, upon all Matters that are
 ‘ brought before them; having the Good of the
 ‘ Nation ever before their Eyes, and following in
 ‘ all Things the Dictates of their Conscience; yet
 ‘ now the People of *England* cannot expect a Re-
 ‘ medy from a *Free Parliament*, legally called and
 ‘ chosen. But they may, perhaps, see one called,
 ‘ in which all Elections will be carried by Fraud
 ‘ or Force; and which will be compos’d of such
 ‘ Persons, of whom those evil Counsellors hold
 ‘ themselves well assur’d; in which all Things will
 ‘ be carried on according to their Direction and
 ‘ Interest, without any Regard to the Good or
 ‘ Happiness of the Nation. Which may appear
 ‘ evidently from this, that the same Persons tried
 ‘ the Members of the last Parliament, to gain them
 ‘ to consent to the Repeal of the *Test and Penal*
 ‘ *Laws*; and procur’d that Parliament to be dis-
 ‘ solved, when they found that they could not, nei-
 ‘ ther by Promises nor Threatnings, prevail with
 ‘ the Members to comply with their wicked De-
 ‘ signs.

‘ 19. But to crown all, there are great and vio-
 ‘ lent Presumptions, inducing us to believe, that
 ‘ those evil Counsellors, in order to the carrying
 ‘ on of their ill Designs, and to the gaining to
 ‘ themselves the more Time for the effecting of
 ‘ them, (for the encouraging of their Complices,
 ‘ and for the discouraging of all good Subjects)
 ‘ have publish’d, that the *Queen* hath brough-
 ‘ forth a *Son*; tho’ there have appear’d, both du-
 ‘ ring the *Queen’s* pretended Bigness, and in the
 ‘ Manner in which the Birth was managed, so ma-
 ‘ ny just and visible Grounds of Suspicion, that not
 ‘ only we ourselves, but all the good Subjects of
 ‘ those Kingdoms, do vehemently suspect, that the
 ‘ pretended Prince of *Wales* was not born by the
 ‘ *Queen*. And it is notoriously known to all the
 ‘ World, that many both doubted of the *Queen’s*
 ‘ Bigness, and of the Birth of the Child; and yet
 ‘ there was not any one Thing done to satisfy them,
 ‘ or to put an End to their Doubts.

‘ 20. And since our dearest and most intirely-
 ‘ beloved Consort the Princess, and likewise we
 ‘ ourselves have so great an Interest in this Mat-
 ‘ ter, and such a Right (as all the World knows) to
 ‘ the Succession to the Crown: Since also the *Eng-
 ‘ lish* did in the Year 1672, when the *States Ge-
 ‘ neral* of the *United Provinces* were invaded in a
 ‘ most unjust War, use their utmost Endeavours to
 ‘ put an End to that War, and that in Opposition
 ‘ to those who were then in the Government; and
 ‘ by their so doing, they run the Hazard of losing
 ‘ both the Favour of the Court, and their Employ-
 ‘ ments: And since the *English* Nation has ever
 ‘ testified a most particular Affection and Esteem,
 ‘ both to our dearest Consort the Princess, and to
 ‘ ourselves, We cannot excuse ourselves from
 ‘ espousing their Interests, in a Matter of such high
 ‘ Consequence; and from contributing all that lies
 ‘ in Us, for the maintaining both of the *Protestant*
 ‘ *Religion*, and of the Laws and Liberties of those
 ‘ Kingdoms, and for the securing to them the con-
 ‘ tinual Enjoyment of all their just Rights. To the
 ‘ doing of which, We are most earnestly sollicit-
 ‘ ed by a great many Lords, both Spiritual and Tem-
 ‘ poral, and by many Gentlemen, and other Sub-
 ‘ jects of all Ranks.

‘ 21. Therefore it is, that We have thought fit
 ‘ to go over to *England*, and to carry over with
 ‘ us a Force, sufficient by the Blessing of God, to
 ‘ defend us from the Violence of those evil Coun-
 ‘ sellors.

fellors. And We being desirous that our Intentions in this may be rightly understood, have, for this End, prepared this *Declaration*, in which, as we have hitherto given a true Account of the Reasons inducing us to it; so, We now think fit to declare, that this our Expedition is intended for no other Design, but to have a free and lawful Parliament assembled, as soon as is possible: and that in order to this, all the late Charters, by which the Election of Burgeses are limited contrary to the antient Custom, shall be considered as null and of no Force: And likewise all Magistrates who have been unjustly turned out, shall forthwith resume their former Employments, as well as all the Boroughs of *England* shall return again to their antient Prescriptions and Charters: And more particularly, that the antient Charter of the great and famous City of *London*, shall again be in Force: And that the Writs for the Members of Parliament shall be addressed to the proper Officers, according to Law and Custom. That also none be suffer'd to chuse, or to be chosen Members of Parliament, but such as are qualified by Law: And that the Members of Parliament being thus lawfully chosen, they shall meet and sit in full Freedom; that so the two Houses may concur in the preparing of such Laws, as they, upon full and free Debate, shall judge necessary and convenient, both for the confirming and executing the Law concerning the *Test*, and such other Laws as are necessary for the Security and Maintenance of the *Protestant Religion*; as likewise for making such Laws as may establish a good Agreement between the *Church of England* and all *Protestant Dissenters*; as also for the covering and securing of all such who will live peaceably under the Government, as becomes good Subjects, from all Persecution upon the Account of their Religion, even *Papists* themselves not excepted; and for the doing of all other Things, which the two Houses of Parliament shall find necessary for the Peace, Honour and Safety of the Nation, so that there may be no more Danger of the Nations falling at any Time hereafter under *Arbitrary Government*. To this Parliament we will also refer the Enquiry into the Birth of the pretended Prince of *Wales*, and of all Things relating to it, and to the Right of Succession.

22. And We, for our Part, will concur in every Thing that may procure the Peace and Happiness of the Nation, which a free and lawful Parliament shall determine; since we have nothing before our Eyes in this our Undertaking, but the Preservation of the *Protestant Religion*, the Covering of all Men from Persecution for their Consciences, and the securing to the whole Nation the free Enjoyment of all their Laws, Rights and Liberties under a just and legal Government.

23. This is the Design that we have proposed to ourselves, in appearing upon this Occasion in Arms: In the Conduct of which, We will keep the Forces under our Command, under all the Strictness of Martial Discipline; and take a special Care, that the People of the Countries, through which we must march, shall not suffer by their Means; and as soon as the State of the Nation will admit of it, We promise that We will send back all those foreign Forces that we have brought along with us.

24. We do therefore hope that all People will judge rightly of us, and approve of these our Proceedings: But we chiefly rely on the Blessing

of God for the Success of this our Undertaking, in which We place our whole and only Confidence.

25. We do in the last Place invite and require all Persons whatsoever, all the Peers of the Realm both Spiritual and Temporal, all Lords-Lieutenants, Deputy-Lieutenants, and all Gentlemen, Citizens, and other Commons of all Ranks, to come and assist us, in order to the executing of this our Design, against all such as shall endeavour to oppose us; that so we may prevent all those Miseries which must needs follow upon the Nations being kept under Arbitrary Government and Slavery: And that all the Violences and Disorders which have overturned the whole Constitution of the *English* Government, may be fully redressed in a *free and legal Parliament*.

26. And We do likewise resolve, that as soon as the Nations are brought to a State of Quiet, We will take Care that a Parliament shall be called in *Scotland*, for the restoring the antient Constitution of that Kingdom, and for bringing the Matters of Religion to such a Settlement, that the People may live easy and happy, and for putting an End to all the unjust Violences, that have been in a Course of so many Years committed there.

We will also study to bring the Kingdom of *Ireland* to such a State, that the Settlement there may be religiously observed; and that the Protestant and *British* Interest there, may be secured. And we will endeavour by all possible Means to procure such an Establishment in all the three Kingdoms, that they may all live in a happy Union and Correspondence together; and that the Protestant Religion, and the Peace, Honour and Happiness of these Nations, may be establish'd upon lasting Foundations.

Given under our Hand and Seal, at our Court in the Hague, the tenth Day of October, in the Year of our Lord 1688.

WILLIAM HENRY, PRINCE of ORANGE.

By his Highness's Special Command,

C. HUYGENS.

His Highness's Additional Declaration.

After We had prepared and printed this our Declaration, We have understood, that the Subverters of the Religion and Laws of those Kingdoms, hearing of our Preparations to assist the People against them, have begun to retract some of the Arbitrary and Despotick Powers that they had assumed, and to vacate some of their unjust Judgments and Decrees. The Sense of their Guilt, and the Distrust of their Force, have induced them to offer to the City of *London* some seeming Relief from their great Oppressions; hoping thereby to quiet the People, and to divert them from demanding a Re-establishment of their Religion and Laws under the Shelter of our Arms: They do also give out, that we do intend to conquer and enslave the Nation; and therefore it is that we have thought fit to add a few Words to our Declaration.

We are confident, that no Persons can have such hard Thoughts of us, as to imagine that We have any other Design in this Undertaking, than to procure a Settlement of the Religion, and of the Liberties and Properties of the Subjects, upon so

sure

‘ fure a Foundation, that there may be no Danger
 ‘ of the Nations relapsing into the like Miseries at
 ‘ any Time hereafter. And as the Forces that We
 ‘ have brought along with us, are utterly disproportion-
 ‘ ed to that wicked Design of conquering the
 ‘ Nation, if We were capable of intending it; so
 ‘ the great Numbers of the principal Nobility and
 ‘ Gentry, that are Men of eminent Quality and
 ‘ Estates, and Persons of known Integrity and
 ‘ Zeal both for the Religion and Government of
 ‘ England, many of them also being distinguished
 ‘ by their constant Fidelity to the Crown, who do
 ‘ both accompany us in this Expedition, and have
 ‘ earnestly sollicitated us to it, will cover us from all
 ‘ such malicious Insinuations: For it is not to be
 ‘ imagined, that either those who have invited us,
 ‘ or those that are already come to assist us, can
 ‘ join in a wicked Attempt of Conquest, to make
 ‘ void their own lawful Titles to their Honours,
 ‘ Estates and Interests. We are also confident, that
 ‘ all Men see how little Weight there is to be laid
 ‘ on all Promises and Engagements, that can be now
 ‘ made; since there has been so little Regard had in
 ‘ the Time past, to the most solemn Promises. And
 ‘ as that imperfect Redress that is now offered, is a
 ‘ plain Confession of those Violations of the Govern-
 ‘ ment that We have set forth; so the Defectiveness
 ‘ of it is no less apparent: For they lay down no-
 ‘ thing which they may not take up at Pleasure;
 ‘ and they reserve entire, and not so much as men-
 ‘ tioned, their Claim and Pretences to an Arbitrary
 ‘ and Despotick Power; which has been the Root
 ‘ of all their Oppression, and of the total Subver-
 ‘ sion of the Government. And, it is plain, that
 ‘ there can be no Redress, no Remedy offer’d but
 ‘ in Parliament; by a Declaration of the Rights of
 ‘ the Subjects that have been invaded, and not by
 ‘ any pretended Acts of Grace, to which the Extre-
 ‘ mity of their Affairs has driven them. Therefore
 ‘ it is that We have thought fit to declare, that We
 ‘ will refer all to a free Assembly of the Nation, in
 ‘ a lawful Parliament.

*Given under our Hand and Seal, at our Court
 in the Hague, the twenty fourth Day of
 October, in the Year of our Lord 1688.*

WILLIAM HENRY, PRINCE of ORANGE.

By his Highness's Special Command,

C. HUYGENS.

Mr. Phipps. My Lords, The Reason why we humbly offer this Declaration, is with Relation to that Passage in the Sermon, which says, that the Prince of Orange disclaimed all Manner of Resistance. All we observe is, that it don't appear that he came over with an Army with any other Intent than to defend himself against evil Counsellors: And if the Doctor has made a wrong Inference, we submit it to your Lordships, whether such a Misapprehension of his Highness's Meaning, shall subject him to a Charge of High Crimes and Misdemeanors.

Mr. Dodd. My Lords, We have finished what we have to offer on this Article, and submit it to your Lordships whether we have not made good our Defence. We are ready to go on to the second Article, if it be your Lordships Pleasure.

*Then the LORDS adjourned to their House
 above.*

Monday, March 6. The Seventh Day.

THE Lords coming down into *Westminster-hall*, and being seated in the Manner before-mention'd, Proclamation was made by the Serjeant at Arms as follows:

Our Sovereign Lady the Queen doth strictly Charge and Command all manner of Persons to keep Silence, upon Pain of Imprisonment.

Then another Proclamation was made: *Henry Sacheverell*, Doctor in Divinity, come forth, save thee and thy Bail, else thou forfeitest thy Recognizance.

The Doctor appearing at the Bar accordingly, with his Counsel as before:

Lord Chancellor. Gentlemen, you that are Counsel for the Prisoner, may proceed in his Defence.

Mr. Dodd MY Lords, We who are Counsel for Doctor *Sacheverell*, beg the Favour that we may enter on the Doctor's Defence as to the second Article: This Article is divided into three Heads. 1. *That the Toleration is unreasonable, and the Allowance of it unwarrantable.* 2. *That he is a False Brother, who defends Toleration and Liberty of Conscience.* 3. *That it is the Duty of the chief Pastors to thunder out Anathema's, &c.*

The first Head I shall speak to is, as to the Toleration. My Lords, we say there is no such Thing as a Toleration granted by Law; the Word is not to be found in the Act of Parliament; there is an Act (which we suppose is intended) *to exempt Protestant Dissenters from the Penalties of certain Laws* therein mentioned: However, in this Debate, we shall take Notice of it as a Toleration; altho' we think, when there is a legal Proceeding, the Act should have been called by its own proper Name: Now, my Lords, this Act of Parliament hath several Restrictions and Limitations in it, and (amongst others) not to exempt any Persons from the Penalties, that do not frequent some religious Assembly thereby allowed. The Doctor no where finds Fault with a legal Toleration, or a Toleration granted by Law, within the Description and Meaning of this Act of Parliament. My Lords, we think the Doctor has taken such Care, lest any Expression should undergo a wrong Construction, as if he were uneasy at the Toleration, that he explains himself very particularly about it: We shall read the Words out of the Sermon, which I think will clear the Doctor as to this Objection; the Doctor says, *Pray do not misunderstand me, as if I reflected upon that Indulgence the Government has given the Dissenters, which I am sure all Well-wishers to our Church are ready to grant; nor do I intend to cast the least Reflection on that Indulgence, which the Law has given to Consciences truly scrupulous; let them enjoy it in the full Limits the Law has prescribed.*

Now after such a Declaration, so plain a Confession, so full in the Case, in Words as significant as can be to shew his Meaning, we hope there is no Room to tax him with this Part of the Article by any incoherent Words, or Inferences, when it

is directly contrary to what he has in Words at length express'd.

My Lords, This being considered, we think it is too hard to draw Inferences, and Consequences, that the Doctor is against the Toleration allowed by Law; it is not to be done with Candor, by any one that reads the Sermon without Prejudice, and considers the Care he takes to avoid giving any Offence in this Case.

As to the second Part of this Article, we think it may receive the same Answer; *That he is a False Brother who defends Toleration and Liberty of Conscience.* The Doctor does not say they are False Brethren that defend a legal Toleration; No-body complains of that; but the Persons intended, are those that defend an unlawful Toleration, and not a legal Exemption; which legal Exemption the Doctor admits to be good and just, in the Passage I have before repeated. We apprehend, the Doctor means those are False Brethren, and blameable, that excuse the Separation from the Church, not on account of the Toleration, but *by laying the Faults on the true Sons of the Church, for carrying Matters too high*; these are the People, the False Brethren, that cry out against the Church upon all Occasions.

As to the Doctor's Expressions about Archbishop *Grindall*, the Doctor thought he had good Grounds for them; but at least they were but unwary Expressions, and we hope not criminal. The Toleration he mentions Archbishop *Grindall* to be blamed for, was quite another Thing from the present Indulgence now granted; the first was by *Q. Elizabeth* alone, or by the Archbishop's Authority under her, and without the Parliament; the Dissenters were then few, and it had been no great Difficulty to have prevented that Schism at the Beginning. But now the Dissenters are a considerable Part of the Nation, have great Riches, and Properties amongst us, and it became the Wisdom of the Legislature, to give them an Indulgence according to the Restrictions in the Act of Parliament: But this is a different Case, and by a different Authority, from what was in Archbishop *Grindall's* Time. The Story of that Archbishop, as related by one of the Gentlemen Managers, does indeed acquit the Archbishop, but how far it clears *Queen Elizabeth*, we must leave to your Lordships; for should a great Favourite Attempt to procure a Grant of the Archbishop's Palace, or a chief Revenue of that See or Church, and that the Archbishop's opposing the Favourite herein (as was by the Gentleman suggested) should be the Reason of his Disgrace; or, if the Archbishop did prosecute or punish a Man in the Spiritual Court, for having two Wives at the same Time; (which Prosecution or Punishment was highly commendable in the Archbishop, and was his Duty to do) it would be hard to think, that *Queen Elizabeth* should suspend him from the Archbishoprick for such a Proceeding, for thus discharging his Duty; therefore we cannot give Credit to that History as it is related; but we shall shew your Lordships, from the Archbishop's Letter to the Council, and Letters from *Beza* and *Calvin* at that Time, that it was his Indulgence to the Dissenters of that Time, that drew the Anger of *Queen Elizabeth* on him; and that this was the Reason of it, we shall make out by undeniable Proof. Now, my Lords, we apprehend the Fault the Doctor finds in his Sermon is against an universal general Toleration that tends to a Dissolution of all Things; and such a To-

leration, would make Religion like that of the *Samaritans*, a Mixture of all Sorts, that was odious to the World, and an Abomination to the *Jews*; and indeed, my Lords, we apprehend such a Toleration the Doctor had great Reason to find Fault with. Surely such a Toleration is not to be defended, nor would be of any Service to either Church or State: This is the Toleration which we think the Doctor intended, and not against a legal or particular Exemption, which the Wisdom of the Nation hath thought fit to give. Indeed he thinks, that Occasional Conformists do attempt to hoist the Toleration into an Establishment, and come into the Communion of the Church to serve a particular Purpose; and this at most can only be said to be the Doctor's Opinion of that Matter, and whether true or false, cannot be criminal. To speak against a Law, or to break a Law, is not to be justified: Nor has he spoke against this Law; but if he had, surely he had been punishable in the ordinary Methods of Justice, and not in a Proceeding of this Nature.

As to the next Head, that is, as to that Part of the Charge about thundering out *Anathemas*; the Discourse is general, and not determined to any Persons, nor pointed at the Dissenters, but properly intended against Irreligion; and the Sentence that he dares any Power on Earth to reverse, is such, and such only, as is ratified in Heaven. He believes some Sentences of the Church to be ratified in Heaven; and if that Sentence which is pronounced here on Earth, be ratified in Heaven, it is, beyond all Dispute, out of the Power of Man to reverse it. He supposes some Persons exempt from Punishment by particular Laws, may yet, by the Law of Christ, be liable to such a Sentence: But from hence, or his Answer to the Articles, to draw a Conclusion, that he asserts the State had not Power to reverse the Sentence of the Spiritual Court, (of which there can be no doubt, but that the Legislature has such a Power) or that the Legislature is guilty of Blasphemy, (as has been objected by one of the Gentlemen Managers) is neither true Reason nor Logick.

That Schism is a Sin punishable by the Laws of the Church, will not be disputed, if it be a Separation without a just Cause; and how far this is such a Separation, or that the Act of Parliament hath taken away this Schism, this Sin, we submit to your Lordships.

Mr. *Phipps*. MY Lords, We are come now to the second Article, and we humbly apprehend, shall give your Lordships as full Satisfaction of the Doctor's Innocence, as to that Crime charg'd in this Article, as we hope we did as to those contain'd in the first Article.

As to that Part of the second Article which says, *That the Doctor does suggest and maintain, that the Toleration granted by Law is unreasonable, and the Allowance of it unwarrantable*: He conceives there is nothing in his Sermon can warrant that Charge. The Toleration Act is not what the Doctor finds Fault with, but the Persons that abuse it; and I beg Leave to say, that the ill Use which is made of it, is unreasonable and unwarrantable. But, that the Doctor asserts the Toleration itself to be unreasonable, or the Allowance of it unwarrantable, will appear to be a great Mistake, when the Paragraphs in the Doctor's Sermon, upon which this Article is founded, are consider'd.

My Lords, The first Passage is in Page the 8th, where the Doctor says thus: *If upon all Occasions to comply with the Dissenters, both in publick and private Affairs, as Persons of tender Consciences and Piety, to promote their Interests in Elections, to sneak to them for Places and Preferment, to defend Toleration and Liberty of Conscience, and under the Pretence of Moderation, to excuse their Separation, and lay the Fault upon the true Sons of the Church for carrying Matters too high, &c.* These are some of the Characters which the Doctor gives of False Brethren: But, is there any Thing in this Passage that avers Toleration to be unreasonable, or the Allowance of it unwarrantable?

Page the 10th, the Doctor hath these Words, which were urged to prove this Article: *Our Constitution, both in Church and State, has been so admirably contrived, with that Wisdom, Weight and Sagacity, and the Temper and Genius of each, so exactly Suited and Modell'd, to the mutual Support and Assistance of one another, that 'tis hard to say, whether the Doctrines of the Church of England contribute more to authorize and enforce our Civil Laws, or our Laws to maintain and defend the Doctrines of our Church. The Natures of both are so nicely correspondent, and so happily intermixed, that 'tis almost impossible to offer a Violation to the one, without breaking in upon the Body of the other. So that in all those Cases before mentioned, whoever presumes to innovate, alter, or misrepresent any Point in the Articles of the Faith of our Church, ought to be arraign'd as a Traitor to the State; Heterodoxy in the Doctrines of the one, naturally producing, and almost necessarily inferring Rebellion and High Treason in the other; and consequently a Crime that concerns the Civil Magistrate as much to punish and restrain, as the Ecclesiastical.* Can this be meant of the Toleration? Is the Toleration so much as mentioned here? Does he not here speak against such as innovate, alter, or misrepresent the Articles of our Faith? Is there any Innovation, Alteration, or Misrepresentation of any Article of our Faith by the Protestant Dissenters? The Dissenters do not differ from us in Matters of Faith, but in Matters of Form and Ceremony; if they differ'd from us in Matters of Faith, they would be Hereticks, and Heresy was never intended to be tolerated by the Act of Indulgence: And therefore what the Doctor says in this Paragraph, can never be taken to be a Reflection on the Toleration.

I shall next humbly offer to your Lordships Consideration another Clause, which was cited by the Gentlemen of the House of Commons to support this Article, which is Page 14. where 'tis said, *These False Brethren in our Government, do not singly, and in private, spread their Poison, but (what is lamentable to be spoken) are suffer'd to combine into Bodies, and Seminaries, wherein Atheism, Deism, Tritheism, Socinianism, with all the hellish Principles of Fanaticism, Regicide and Anarchy, are openly profess'd, and taught, to corrupt and debauch the Youth of the Nation, in all Parts of it, down to Posterity, to the present Reproach, and future Extirpation of our Laws, and Religion. Certainly the Toleration was never intended to indulge, and cherish such Monsters and Vipers in our Bosom, that scatter their Pestilence at Noon-day, and will rend, distract, and confound, the firmest and best settled Constitution in the World.* Is there any Thing in this Clause that can maintain this Article? The Doctor says, *Certainly the Toleration was never intended to indulge and cherish such Monsters, and Vipers*

in our Bosom, as Atheists, Tritheists, Socinians, &c. And the Doctor is well warranted in saying that, because those enormous Crimes are particularly excepted in the Act of Toleration, and for this we refer to the Act itself.

The next Clause that was urg'd to maintain this Article is in the 16th Page, where the Doctor expresseth himself in these Words: *But since this Model of an universal Liberty and Coalition fail'd, and these False Brethren could not carry the Conventicle into the Church, they are now resolv'd to bring the Church into the Conventicle, which will more plausibly and slyly effect her Ruin: What could not be gain'd by Comprehension and Toleration, must be brought about by Moderation and Occasional Conformity; that is, what they could not do by open Violence, they will not fail by secret Treachery to accomplish. If the Church can't be pull'd down, it may be blown up; and no Matter with these Men how 'tis destroy'd, so that it is destroy'd.* Does this suggest the Toleration to be unreasonable, or the Allowance of it unwarrantable? It rather excuses it from having hurt the Church: For he says, *What could not be gain'd by Toleration, must be brought about by Moderation and Occasional Conformity;* so that the Injury which is done to the Church is ascribed by him to some other Cause. Thus your Lordships observe there is not any Passage in the Doctor's Sermon, whereby he suggests that the Toleration granted by Law is unreasonable, or the Allowance of it unwarrantable, and consequently no Foundation for this Article, unless it is to be supported by Inferences contrary to the Doctor's express Words: For the Doctor in his Sermon, Page 20. says, *I would not here be understood, as if I intended to cast the least invidious Reflection upon that Indulgence the Government has condescended to give them, which I am sure all those that wish well to our Church are very ready to grant to Consciences truly scrupulous; let them enjoy it in the full Limits the Law has prescrib'd.* By which 'tis evident, he allows the Indulgence given by the Act to Dissenters, and is very far from suggesting, that it is unreasonable, or the Allowance of it unwarrantable. He wishes with all his Heart they may enjoy it in the full Limits of the Law. And therefore if there be any other Expressions concerning Toleration, which may seem to carry a dubious Sense, 'tis humbly conceiv'd they ought not to be apply'd to the Exemption granted by Law, but will be so interpreted as may consist with his avowed Approbation of that Law. For in all Writings, such Exposition is to be made, that one Part may not contradict or be inconsistent with the other. But to strain the Sense of any ambiguous Clause, and to put such a Construction upon it, as to make it contradict a plain and positive Assertion in the same Writing, was never allow'd, and I am sure will not be permitted by your Lordships, who have shew'd such a just Abhorrence of strain'd and foreign Insinuations and *Innuendo's*. And therefore where he seems to blame those who defend Toleration, he cannot be thought to condemn the Indulgence granted by Law, because he hath in such positive and express Terms allowed and approved of it.

But it must have some other Meaning, and I think his Meaning is very plain. For by condemning such as defend Toleration, 'tis evident, he means such as maintain, that the Act of Indulgence is a Justification of their Separation, and excuseth them from the Sin of Schism: For the Defence of Toleration, and Excuse of Separation, are mentioned in one

one and the same Clause of the Sentence, and in one and the same Branch of their Character of False Brethren. So that the true and genuine Sense of what he hath said in his Sermon concerning Toleration is,

1. That he intirely approves of the Exemption by the Act of Indulgence of Protestant Dissenters from the several Penalties inflicted by the several Statutes for their Non-Conformity.

2. That tho' they are exempt from the Penalties, yet that does not excuse their Separation from the Sin of Schism *in foro Conscientiæ*. And is the Doctor alone in this Notion? Is he not justified in it by the Opinion of many learned Men, who have writ on that Subject? Nay, I appeal to your Lordships, whether it be not the concurrent Opinion of the greatest Part, if not all the learned Men of our Church at this Day.

And since the Act of Uniformity is in Force, and is not repeal'd or enervated by the Act of Indulgence, since the Doctrine and Worship of the Church of *England* is the establish'd Religion of this Kingdom, whether a Separation from the Church, since the Act of Indulgence, is not as much a Schism *in foro Conscientiæ*, as it was before, is humbly submitted.

But suppose that Separation from the Church by Dissenters, since the Act of Indulgence, should not be thought a Schism, yet he having the Opinion of so many learned Men of his Side, his Assertion cannot be said to be wicked, malicious, and seditious, nor to be so high a Crime and Misdemeanor, as to be the subject Matter of an Impeachment.

But the Passages in the Doctor's Sermon, which are supposed to condemn the Toleration, or to reflect on the Dissenters, are open to another plain and natural Construction. For since he positively, and in express Terms, allows Liberty of Conscience to Consciences truly scrupulous, and which are intitled to the Benefit of the Act: Where he condemns or speaks against Toleration, it must be intended as to such Dissenters who are not intitled to the Benefit of the Act, but are excepted out of it: And those are such as by Printing or Writing deny the Trinity, such as do not come to some Assembly of Religious Worship allowed by that Act; and no Assembly of Religious Worship is allow'd by that Act 'till the Place of meeting be certified to the Bishop, Archdeacon, or Justices at the Quarter-Sessions, and recorded, and a Certificate thereof given: And, what Multitudes frequent Religious Assemblies which are not allow'd by that Act? Nay, how few Religious Assemblies are qualified according to the Act? What vast Numbers go to no Religious Worship at all? And how many there are who deny the second Person of the Trinity, is too evident: And against every one of these, all the Laws for frequenting Divine Service on the Lord's Day are still in Force, by the express Words of that Act. Therefore all those who defend a general Toleration, who maintain that the Act extends to all such Dissenters, are justly censur'd by the Doctor; and all the Expressions in the Doctor's Sermon against Toleration must be intended against those excepted in the Act, since he so expressly approves the Indulgence allow'd to those that conform to the Terms prescribed by the Act.

My Lords, As to that Branch of this second Article, which charges the Doctor with asserting, *That Queen Elizabeth was deluded by Archbishop Grindall to the Toleration of the Genevian Discipline*; whether he be not warranted in this Assertion, is

humbly submitted to your Lordships, when 'tis consider'd, That Archbishop was once in the highest Esteem with the Queen, She made him Bishop of *London*, then Archbishop of *York*, and afterwards promoted him to the See of *Canterbury*; and that after this he was in Disgrace, and died in her Majesty's Displeasure, cannot be deny'd. The Reason assign'd for his Disgrace was, that he was a great Encourager of unlawful Conventicles, or Prophesyings, as they were then called. Whether that Charge against him was true, or whether it was only a false Suggestion of the Earl of *Leicester*, to remove him from the Queen's Favour, I will not presume to determine. The learned Manager who spoke first to this Article, was pleased to acquit the Archbishop, and lay the Fault upon the Queen; though, whoever reads *Calvin's* and *Beza's* Letters to him, when Bishop of *London*, whoever reads Queen *Elizabeth's* Letter to the Bishops, dated the third of *May*, 1577, and the Archbishop's own Letter to the Lords of the Council the 25th of *November*, 1577, will be fully satisfied that he was not innocent; for he confesses he was commanded by the Queen and Council to suppress the Prophesyings, and that he refused, and could not comply with that Command; and acknowledged it to be an Act of great Clemency in her Majesty, that she carried her Resentment no higher. So, I think, that pious good Queen is intirely acquitted by the Archbishop himself.

All Historians admit, that in his Time the Puritans were very numerous, and their Party very strong; and it is evident they grew so dangerous, that the Statute of the 35th of *Elizabeth* was made to suppress their Conventicles, and compel them to come to Church. And at his Death the Affairs of the Church were in so great Confusion, that his Successor, Archbishop *Whitgift*, was put to great Trouble to check that growing Faction, and reduce Things into good Order again. If therefore the Doctor was of Opinion the Puritans receiv'd too great Encouragement by the Countenance of that great Man, and if it was his Zeal for the Church, and the Resentment he had that it should receive any Prejudice by the Connivance of one at the Head of it, that provoked him to use a harsh Expression of that Archbishop, 'tis humbly to be hoped that is not a sufficient Ground for an Impeachment of High Crimes and Misdemeanors.

The Gentleman that spoke first to this Article, was pleas'd to admit, that what the Doctor said in relation to that Archbishop, was not an offence, as it was a Reflection on the Archbishop; but that using such Expressions of the Archbishop for his Moderation to the Puritans, was a Reflection on the late Act of Toleration granted to Protestant Dissenters; and that calling the Prosecutions against the Prophesyings in Queen *Elizabeth's* Time *Wholesome Severities*, is an Encouragement to use such Severities against the Protestant Dissenters now.

Can what was done in Queen *Elizabeth's* Time reflect on the Toleration? Can calling the Prosecutions by Queen *Elizabeth* against such as frequented Conventicles against the Law, and for which there was no Toleration; I say, can the calling such Prosecutions *Wholesome Severities*, reflect on this Toleration granted by Law? Or can it encourage a Prosecution against the Dissenters, who are intitled to the Benefit of the Toleration, and are exempt from the Penalties of the Laws?

The only Thing that can be infer'd from what the Doctor says, in relation to the *Wholesome Severities*

verities is, That he intended to excite the Magistrates to put the Laws in Execution against such Dissenters as were excepted out of the Act of Toleration; and I am at a Loss to find how that can make him an Offender. For surely the Parliament never intended that any Person should have the Benefit of the Act of Toleration, that did not comply with the Terms and Conditions of it: And therefore when the Doctor presseth the Execution of the Laws against such as are not intitled to the Benefit of the Act, he seems to me rather to Vindicate than Reflect upon the Toleration. Great Offence hath been taken at the Words *Wholesome Severities* in the Doctor's Sermon; yet my Lords, I cannot think the Word *Wholesome* an improper Epithet for the Severities used by Queen *Elizabeth* against the Puritans; for Faction was then in its Infancy, Schism did but just begin to disturb the Church; and by the Severities of the Laws that were put in Execution, and the Courage, Learning, and Prudence of Archbishop *Whitgift*, a Stop was put to them. And, I presume, such Severities as suppress'd these bold and daring Crimes in their Infancy, may be called *Wholesome* without a *Catachresis*; and can never be construed to be a Suggestion, that the Toleration now granted by Law is unreasonable, or the Allowance of it unwarrantable.

As to that Part of the Second Article, which chargeth the Doctor with maintaining, *That it is the Duty of Superior Pastors to thunder out their Ecclesiastical Anathema's against Persons intitled to the Benefit of the Toleration*: The Doctor humbly apprehends there is nothing in his Sermon can be a just Foundation for that Charge.

The Sermon hath this Sentence, Page 25. *Let our Superior Pastors do their Duty, in thundering out their Ecclesiastical Anathema's; and let any Power on Earth dare reverse a Sentence ratified in Heaven.* This is an intire and independent Sentence, that doth not relate to any particular Person, or any particular Crimes, and does not mention the Persons intitled to the Benefit of the Toleration.

Nor can it be imagin'd that he should desire *Anathema's* to be thundered out against such Persons who he wisheth may enjoy the Toleration in the full Limits the Law hath prescrib'd. But the *Anathema's* must be intended to be against the Works of Darkness, Atheism, Prophaneness, Faction, and other enormous Crimes which are mentioned in the preceding Part of this Sermon, since it is not applied by him to any particular Sins or Offences.

The thundering *Anathema's*, is declaring those Judgments which are denounced in Scripture against Sin. And he desires the Superior Pastors of the Church to thunder out these *Anathema's*, because the greater the Authority is of the Person that declares these Judgments, the greater Influence they are like to have upon the Persons guilty of such Sins.

But if he had desir'd *Anathema's*, or *Excommunications*, (as they would infer) should be thundered out against Dissenters, yet it must be intended only against such as are not intitled to the Benefit of the Toleration; and since the Act of Indulgence leaves such Persons open to the Laws, it cannot be a Crime in the Doctor to press the Execution of the Laws against them.

For not to accept of the Toleration on the Terms offer'd by the Act, is what the Doctor calls *boisting the Toleration into an Establishment*, in despite of the Act, and setting up a Toleration of their own in Defiance of it.

As to the last Part of the Second Article, which charges, that the Doctor *insolently dares and defies any Power on Earth to reverse such Sentences*, which Sentences are there insinuated to be the Sentences, or *Anathema's*, given and thundered out by Superior Pastors; there are no such Words in the Doctor's Sermon: For, the Doctor's Words are, *Let any Power on Earth dare reverse a Sentence ratified in Heaven.* So that the bare Recital of the Doctor's Expression, is a sufficient Confutation of that Part of the Article.

For, if the Judgments or *Anathema's* denounced by Superior Pastors against Sin, are such as are denounced against such Sins in Scripture, such Sentences may truly be said to be ratified in Heaven: And if so, then no one can dare to think, that such Sentences, so ratified in Heaven, can be reversed by all the Powers on Earth united together. And therefore, the Doctor hopes it will not be thought Insolence, or a High Crime or Misdemeanor in him, to assert what he conceiv'd would be Blasphemy in any one to deny. This is what I humbly offer to your Lordships Consideration on this Article.

Mr. *Dee.* **M**Y Lords, I humbly beg the Favour of a few Words on this Article. It is divided into Three Parts. The first is concerning Toleration; the Charge against the Doctor is, That he has reflected on the Toleration as it is Established by Law. I crave Leave to take Notice, that on considering the whole Sermon, there are two distinct Tolerations mentioned in it; a Toleration that is Legal, (for so I call the Act of Indulgence) and a Toleration that is general; and we think that Distinction, well observed, will clear the Doctor of any Crime in this Particular. Where he reflects on Toleration, it is not the Legal Toleration, but the general; and if it will bear this Construction, you will not put the other upon it; for where he has taken Notice of a Legal Toleration, (which he hath done only in one Place of his Sermon) he is for extending it to the utmost Bounds; his Words are these, *I would not here be misunderstood, as if I intended to cast the least invidious Reflection upon that Indulgence the Government hath condescended to give them; which I am sure all those that wish well to our Church, are very ready to grant to Consciences truly Scrupulous; let them enjoy it in the full Limits the Law hath prescribed.* But where he speaks against Toleration, it is a Toleration of such enormous Crimes, as are not fit to be tolerated in any Christian Nation.

As to the Second Part of the Article, for reflecting on Archbishop *Grindal*, and thereby reflecting on the Toleration, it was given up on the other Side; and admitted, that, whether True or False, it was not material, and then surely that will hardly amount to a Crime. But, we shall be so far from giving up that Point, that we shall shew he was False to the Church at that Time; and it was a Crime in him, to give up the Discipline of the Church. No Laws were then made to indulge any Separation: And for the Head of the Church, under the Queen, to give up the Discipline of the Church, was a high Crime in him; and though it may be thought harsh, will bear the true Term of a False Brother.

As to the Third Part of the Article, the thundering out *Anathema's*, I would beg Leave to read that Part of the Doctor's Sermon, which, I hope, shall not be applied to those that are within the Legal Toleration. *Schism and Faction are Things of im-*
pudent

prudent and incroaching Natures, they thrive upon Concessions, take Permission for Power, and advance a Toleration immediately into an Establishment: (I hope the Dissenters will not take these Characters on themselves:) And are therefore to be treated like *growing Mischiefs, or infectious Plagues, &c.* Presently after follows, *Let our Superior Pastors, do their Duty, in thundering out their Ecclesiastical Anathema's; and let any Power on Earth dare reverse a Sentence ratified in Heaven.* Now, my Lords, I would beg Leave to say, that this is only Advice; and altho' the Doctor may be accounted pretty Pert, to give Advice to his Superior Pastors, that they ought to thunder out *Anathema's*; yet this cannot be construed to extend to them that are described in the Act of Toleration, those that could not conform to some Ceremonials by reason of Scrupulous Consciences, these could not be called Faction, but is meant of other People described in the Sermon. But if the Doctor had advised to thunder out *Anathema's* against Dissenters; (supposing, but not granting it) the Question would come to this Point, whether he was deceived in Point of Judgment or no: For, if they were Schismatics before; the Schism remains the same, notwithstanding the Toleration; and if it was Sin before the Act of Toleration, it is so still, notwithstanding the Act; and then his Advice to the Superior Pastors, is, to do that which is, (with Submission) their Duty to do, 'till prohibited by the Temporal Courts. My Lords, I shall mention one Case, that will shew you, that it is still Schism to separate from the Church, and that it is the Duty of Dissenters to Communicate with the Church. That was the Case of one Mr. *Larwood*: In *Hillary Term, sexto of King William*. An Information was exhibited against him, for refusing to take upon him the Office of Sheriff of the City of *Norwich*; he pleads he had not taken the Sacrament in Twelve Months; the Attorney replied, that he ought to have done it. He rejoins, that he was a Protestant Dissenter, and was excused by the Act for Toleration. There were two Points in the Case; the first was, whether it appear'd by the Information that the Defendant was duly elected; the other, whether the Plea in Bar was good, (for the whole Court held, that the Rejoinder was a Departure from the Bar, and that the Replication was insufficient); so that Judgment was to be given upon the Information; and the Plea in Bar. *Samuel Eyre*, Justice, was of Opinion with the Defendant as to both Points; my Lord Chief Justice *Holt*, and Mr. Justice *Giles Eyre*, were of Opinion against him as to both Points, and held the Bar to be insufficient, because it was only excusing of one Fault by another, which no Man shall be admitted to do; and they held, that the Duty of Communicating with the Church remain'd notwithstanding the Act of Toleration: And I submit it to your Lordships Consideration, whether, if it be a Duty to Communicate with the Church of *England*, it be not Schism to Separate from it. My Lords, I shall say no more to this Article, but submit it to your Lordships.

Dr. *Henchman*. MY Lords, We are now endeavouring to defend Doctor *Sacheverell* against the Charge contain'd in the Second Article of Impeachment, in the two first Clauses of which he is said to suggest and maintain, *That the Toleration granted by Law is unreasonable, and the Allowance of it unwarrantable: And to assert, That he is a False Brother with Relation to God, Religion*

and the Church, who defends Toleration and Liberty of Conscience. But it has not been said by any of the Learned Managers on this Head, that either of those two Branches of this Article are expressly delivered in any Part of the Sermon preached at *St. Paul's*; but what is no where affirm'd, is said to be suggested, and this Charge is maintained by Inferences only, because there is no plain positive Proposition that it can be supported by.

My Lords, It is humbly hop'd, That if an Inference may be allowed as Proof to accuse him, an open Declaration will be heard in his Defence: If what another Man makes him say be thought Ground enough for an Accusation, then certainly what he himself openly declares will be esteemed something more than a dry Caution, and have its due Weight with your Lordships in his Vindication. I would therefore beg Leave to read a Passage where he explains himself, and plainly declares what his Thoughts are concerning the Indulgence granted by Law: This Passage is in the twentieth Page, where speaking of some wholesome Severities used in former Reigns, he adds, *I would not here be misunderstood, as if I intended to cast the least invidious Reflection upon that Indulgence the Government has condescended to give them, which I am sure all those that wish well to our Church are very ready to grant to Consciences truly scrupulous; let 'em enjoy it in the full Limits the Law has prescribed.*

My Lords, these Words are plain and express, and not capable of being misconstrued or misunderstood: Whether those Learned Gentlemen, who have applied some Parts of this Sermon to Purposes directly opposite to this plain Declaration, have misunderstood or misconstrued those Passages, must be submitted to your Lordships Judgment; but it seems hardly reconcileable, that the same Person in the same Discourse should declare, That all who wish well to the Church are ready to grant Indulgence to Consciences truly scrupulous; and at the same time maintain, That such Toleration is unreasonable, and the Allowance of it unwarrantable; that he should desire it may be enjoy'd in its full Latitude, and yet assert that he is a False Brother that defends it.

My Lords, This seeming Difficulty will be easily reconciled, by considering who those Persons are who are designed to be eased by the Act of Exemption, and who the False Brethren are, described by Doctor *Sacheverell* in this Sermon.

That Act, in the Preamble, is said to be intended *for the Ease of scrupulous Consciences*; one Sett of the False Brethren, mention'd in the Sermon, are *Men of no Conscience at all*; whether Dissenters, or such as profess themselves with Zeal to be of the established Church, but yet break her Communion by not obeying her Precepts.

That Act was intended for such only, as qualify themselves according to the Directions laid down in that Act; the False Brethren which the Doctor every where speaks of are such, and such only, as neither qualify themselves according to that Act, nor think themselves subject to the Penalties of former Acts.

This Act was intended in favour of such as either subscribe the Articles of Religion, excepting only the thirty fourth, thirty fifth and thirty sixth, some Part of the twentieth, and that Part of the twenty seventh which relates to Infant-Baptism; or else for such as subscribe a Profession of their Christian Belief in these Words; *I profess Faith in God the Father, and in Jesus Christ his Eternal Son the true*

true God, and in the Holy Spirit, one God blessed for evermore; and do acknowledge the Holy Scriptures of the Old and New Testament to be given by Divine Inspiration. These are the Qualifications required of such as will intitle themselves to the Benefit of this Act.

On the other hand, the False Brethren described by Doctor Sacheverell, are *Atheists, Deists, Tritheists, Socinians, Revilers of the Holy Scripture*, and such like. Are not Men of these Opinions False Brethren, with Relation to God and Religion? Or shall such Men be suffered to cover themselves under the Protection of an Act of Parliament, designed only for the Ease of scrupulous Consciences. That there are Men among us of these Principles, will be but too visible, from a Passage or two, which I beg Leave to lay before your Lordships from Books lately publish'd.

The first which I shall mention, is intitled, *A brief but clear Confutation of the Trinity*: If the Title itself has not given too much Offence to your Lordships, I will proceed to look into the Book itself; and in the Ninth Page there is this Proposition laid down, *The Divinity attributed to the Son and Holy Ghost is unscriptural and idolatrous*; and in Page the Tenth he goes on in these Words, *This one Fundamental False Principle, as well with Jews and Turks, as Heathens, has done more Mischief to Christianity than all other Errors besides*. These are such bare-fac'd Blasphemies as must make every Man's Ears tingle that hears them; and the Respect which is due to your Lordships, and this Assembly, makes me forbear instancing any Thing more from this Author: But he does not stand alone; out of many more of the like Sort I shall mention but one only, and

This is a Book, intitled, *The Rights of the Christian Church*; and the Author, in p. 108, lays down this Doctrine.

Among Christians one no more than another can be reckoned a Priest. And a little after, The Clerk has as good a Title to the Priesthood as the Parson.

Thus, my Lords, these two Men strike off our whole Religion at once; the Fundamental Doctrine of our Faith is destroyed by the first of 'em; and the Ministers, who are to support and defend that Doctrine, are set aside by the other.

If these and such like Opinions have any where prevailed, is it not high time that some wholesome Severities were used to stop the growing Contagion? Or, if the Superior Pastors of the Church should thunder out their Ecclesiastical *Anathemas* against the Authors and Abettors of such horrible Blasphemies, by what Construction can this be said to be done against Persons intitled to the Benefit of the Toleration?

But, my Lords, there is one Passage in this Sermon, which has been urg'd by the Learned Managers on this Head with more than ordinary Force, and as a direct Breach and Insult upon the Toleration; with your Lordships Patience, I shall endeavour to set that Passage in a true Light. It is in the Eighth Page: *Should any one, out of Ignorance or Prejudice to the antient Rights and essential Constitution of the Catholick Church affirm, that the Divine Apostolick Institution of Episcopacy is a novel Doctrine, not sufficiently warranted by Scripture, and that it is indifferent, whether the Church be governed by Bishops or Presbyters; is not such an one an Apostate from his own Orders?*

It was said, my Lords, that all those Dissenters who do not acknowledge the Divine Right of Episcopacy,

and are therefore specially exempted by the Act of Indulgence from Subscribing some of the Articles of Religion, and who are immediately under the Protection of that Act, are yet, in the End of this Paragraph, charged with being False Brethren, where he prays, *That God would deliver us from all such False Brethren.*

But, my Lords, it is plain, that these Words are not meant, nor can be construed, generally of Dissenters, who deny the Divine Institution of Episcopacy; but are intended peculiarly of such Persons as have themselves been Episcopally ordain'd; the first of these cannot be said to be Apostates from that Doctrine which they never owned, nor Subscribed to; the latter, who could not be admitted to their Orders 'till they had subscrib'd the receiv'd Doctrine of our Church, are the only Persons who can be said to be Apostates from their own Orders, if they deny that Divine Institution, by which they themselves had been Ordain'd, and consequently, the only Persons that are intended in this Passage, and term'd *False Brethren*.

My Lords, I shall not presume to say, what the Duty of the Superior Pastors of the Church is, when our Religion and Discipline is invaded by Atheists and Schismatics, much less to determine what Sentences justly pass'd by them on Earth, may be ratify'd in Heaven. Thus much I hope I may say without Offence, That the Spiritual Power of Church-Pastors, is not derived from the Civil Magistrate, but from God; that one Branch of that Power is the censuring of notorious Offenders, and excluding them from the Communion of the Church; and that this has in all Ages, in Fact, and of Right too, been exercised by the Pastors of the Church, by Permission of the Civil Magistrate. The Reverend and Learned Bench of Bishops well know, That before the Civil Magistrate did embrace the Christian Religion, the Pastors of the Church did inflict Spiritual Censures on Offenders, for doing such Things as the Imperial Edicts did not only permit, but command; and this Power of inflicting Censures on Persons exempted from Punishment by the Laws of the Land, has been always challeng'd, and is now exercised by the Reformed Churches abroad; and by the Rubrick of our own Liturgy, open and notorious Evil Livers are to be repell'd from the Lord's Table, until they have openly declar'd their Repentance and Amendment.

We are told by the Learned Managers, That in case any Ecclesiastical Judge should inflict an illegal Censure of Excommunication, the Temporal Courts may, and would soon give Relief, by sending forth a Prohibition. But, your Lordships will consider, that there is a wide and manifest Difference betwixt an Excommunication founded upon a Prosecution in the Ecclesiastical Courts, and the pronouncing Censures purely Spiritual. The external coercive Jurisdiction of Ecclesiastical Courts being derived from the Laws of the Land, may, and is frequently by those Laws restrain'd; but such Restraint does not hinder the Pastors of the Church from exercising the Spiritual Power of the Keys, which they derive not from the Laws of the Land, but from the Institution of Christ; and therefore tho' it be provided in the Act of Exemption, that Persons taking the Oaths, and making the Declaration in that Act mention'd, shall not be prosecuted in any Ecclesiastical Court for not conforming to the Church of England, yet it is not by that Act express'd or intended that Non-conformity to the Established Church should no longer be looked upon as Schism; or that

that Separatists may not, by the Pastors of the Church, be pronounced Schismatical. If Separatists from the Church of *England* were guilty of Schism before the Act of Exemption, they are as much guilty of it since; the Laws of the Land which require Conformity, being not by that Act repeal'd, tho' the Transgressors of those Laws are released from those Pains and Penalties to which they were before obnoxious: But were the Laws of the Land which require Conformity to the Church of *England* expressly or virtually repeal'd; yet whilst the Laws of God requiring Church-Unity, and forbidding Schism, are uncancell'd, and remain in their full Force, those who make causeless and unnecessary Divisions are still guilty of Schism, and may, by the Pastors of the Church be censur'd as such.

My Lords, I shall add but one Word in relation to Archbishop *Grindal*, not to disturb his Ashes, or blacken his Character, but to vindicate the Memory of that Glorious Queen, under whose Displeasure he died.

It was said, my Lords, that the true Ground of that Archbishop's Suspension, was partly because he would not give up his Manor of *Lambeth* to the Earl of *Leicester*; and partly because he had censur'd one *Julio* an *Italian* for an illegal Marriage. Had these been the known Reasons of his Suspension, he would have had just Cause to complain loudly of that Censure; but without entering into the Secret History of that Reign, I shall put the whole Matter upon that Archbishop's own Sentiments, both as to the Cause of his Suspension, and the Justice of it.

By the Account which is yet extant under his own Hand it appears, that there were in those Days Men of a Fanatical Spirit that call'd themselves *Prophefers*; that that Archbishop had been order'd by the Queen and Council to suppress such Exercises within his Province, as contrary to the Laws of the Land, and the Establish'd Discipline of the Church; but this Archbishop thought fit not only to delay, but absolutely to refuse to join in suppressing those Exercises; and for this Disobedience to the lawful Commands of his Sovereign he was suspended.

My Lords, His own Words which he uses upon this Occasion are very remarkable, when he applies to the Council to intercede with her Majesty to be restor'd to her gracious Favour, *viz.*

And whereas I have sustain'd the Restraint of my Liberty, and the Sequestration of my Jurisdiction, now by the Space of Six Months; I am so far from repining thereat, or thinking my self injuriously or hardly dealt withal therein at her Majesty's Hands, that I do thankfully embrace, and frankly, with all Humility, acknowledge her Princely and Gracious Care and Clemency towards me, who having Authority and Power to have used greater and sharper Severity against me, and for good Policy and Example thinking it so expedient, hath notwithstanding dealt so mercifully, mildly and gently with me.

My Lords, in this Letter that Archbishop frankly acknowledges that he had given Offence, and was, for good Policy and Example, justly punished by her Majesty; but had it been known that he was suspended for not tamely parting with the Revenues of his See, or for pronouncing a Sentence in a Court of Justice against an unlawful Marriage, there could have been no Reason for him to have acknowledged the Justice of his Suspension; neither could it be for good Policy and Example expedient, that he should be punished for not alienating the Revenues

of his Church, or for not pronouncing *Julio's* Marriage with another Man's Wife lawful.

Mr. *Dodd*. We shall spend a little of your Lordships Time in reading to this Head; we shall only read the Toleration-Act, to shew the Exception in it; and offer the Archbishop's Letter to the Council; and the Queen's Letter to the Bishops. We have the Letters of *Calvin* and *Beza*; but I believe we shall not have occasion to read them, but only the other Three. The first is the Act of Toleration.

Clerk reads.] Anno Primo Gulielmi & Mariæ.
An Act for Exempting their Majesties Protestant Subjects, Dissenting from the Church of England, from the Penalties of certain Laws.

‘ **F**Orasmuch as some Ease to scrupulous Con-
‘ sciences in the Exercise of Religion may be
‘ an effectual Means to unite their Majesties Pro-
‘ testant Subjects in Interest and Affection,

‘ Be it Enacted by the King and Queen's most
‘ Excellent Majesties, by and with the Advice and
‘ Consent of the Lords Spiritual and Temporal, and
‘ the Commons in this present Parliament Assembled,
‘ and by the Authority of the same, That neither the
‘ Statute made in the Three and twentieth Year of
‘ the Reign of the late Queen *Elizabeth*, intituled,
‘ *An Act to retain the Queen's Majesty's Subjects in*
‘ *their due Obedience*: Nor the Statute made in the
‘ Twenty ninth Year of the said Queen, intituled,
‘ *An Act for the more speedy and due Execution of*
‘ *certain Branches of the Statute made in the Three*
‘ *and twentieth Year of the Queen's Majesty's Reign,*
‘ *viz.* The aforesaid Act; nor that Branch or Clause
‘ of a Statute made in the First Year of the Reign of
‘ the said Queen, intituled, *An Act for the Uniformity*
‘ *of Common Prayer, and Service in the Church, and*
‘ *Administration of the Sacraments*; whereby all
‘ Persons, having no lawful or reasonable Excuse to
‘ be absent, are required to resort to their Parish
‘ Church or Chapel, or some usual Place where
‘ the Common Prayer shall be used, upon Pain of
‘ Punishment by the Censures of the Church, and
‘ also upon Pain that every Person so offending shall
‘ forfeit for every such Offence Twelve-pence:
‘ Nor the Statute made in the Third Year of the
‘ Reign of the late King *James* the First, intituled,
‘ *An Act for the better Discovering and Repressing Po-*
‘ *pish Recusants*: Nor that other Statute made in
‘ the same Year, intituled, *An Act to prevent and*
‘ *avoid Dangers which may grow by Popish Recu-*
‘ *sants*: Nor any other Law or Statute of this
‘ Realm made against Papists or Popish Recusants,
‘ except the Statute made in the Five and twentieth
‘ Year of King *Charles* the Second, intituled, *An*
‘ *Act for preventing Dangers which may happen from*
‘ *Popish Recusants*; and except also the Statute
‘ made in the Thirtieth Year of the said King *Charles*
‘ the Second, intituled, *An Act for the more effectual*
‘ *preserving the King's Person and Government, by*
‘ *disabling Papists from sitting in either House of*
‘ *Parliament*; shall be construed to extend to any
‘ Person or Persons Dissenting from the Church of
‘ *England*, that shall take the Oaths mention'd in a
‘ Statute made in this present Parliament, intituled,
‘ *An Act for removing and preventing all Questions and*
‘ *Disputes concerning the Assembling and Sitting of this*
‘ *present Parliament*: And shall make and subscribe
‘ the Declaration mentioned in a Statute made in
‘ the Thirtieth Year of the Reign of King *Charles*
‘ the

the Second, intituled, *An Act to prevent Papists from sitting in either House of Parliament.* Which Oaths and Declaration, the Justices of Peace at the General Sessions of the Peace to be held for the County or Place where such Person shall live, are hereby required to render and administer to such Persons as shall offer themselves to take, make, and subscribe the same, and thereof to keep a Register. And likewise none of the Persons aforesaid, shall give or pay as any Fee, or Reward to any Officer, or Officers belonging to the Court aforesaid, above the Sum of six Pence, nor that more than once, for his or their Entry of his taking the said Oaths, and making and subscribing the said Declaration. Nor above the further Sum of six Pence for any Certificate of the same to be made out, and signed by the Officer or Officers of the said Court.

And be it further enacted by the Authority aforesaid, That all and every Person and Persons already convicted, or prosecuted in order to Conviction of Recusancy, by Indictment, Information, Action of Debt, or otherwise, grounded upon the aforesaid Statutes, or any of them, that shall take the said Oaths mentioned in the said Statute made this present Parliament, and make and subscribe the Declaration aforesaid, in the Court of *Exchequer*, or *Assizes*, or General or Quarter-Sessions to be held for the County where such Person lives, and to be thence respectively certified into the *Exchequer*, shall be thenceforth exempted and discharged from all the Penalties, Seizures, Forfeitures, Judgments and Executions, incurred by Force of any the aforesaid Statutes, without any Composition, Fee, or further Charge whatsoever.

And be it further enacted by the Authority aforesaid, That all and every Person and Persons that shall as aforesaid, take the said Oaths, and make and subscribe the Declaration aforesaid, shall not be liable to any Pains, Penalties, or Forfeitures, mentioned in an Act made in the Five and thirtieth Year of the Reign of the late Queen *Elizabeth*, intituled, *An Act to gain the Queen's Majesty's Subjects in their due Obedience:* Nor in an Act made in the Two and twentieth Year of the Reign of the late King *Charles* the Second, intituled, *An Act to prevent and suppress Seditious Conventicles.* Nor shall any of the said Persons be prosecuted in any Ecclesiastical Court, for or by Reason of their Nonconforming to the Church of *England*.

Provided always, and be it enacted by the Authority aforesaid, That if any Assembly of Persons, dissenting from the Church of *England*, shall be had in any Place for Religious Worship, with the Doors locked, barred or bolted, during any Time of such meeting together, all and every Person or Persons that shall come to and be at such Meeting, shall not receive any Benefit from this Law, but be liable to all the Pains and Penalties of all the aforesaid Laws recited in this Act for such their Meeting, notwithstanding his taking the Oaths, and his making and subscribing the Declaration aforesaid.

Provided always, that nothing herein contained shall be construed to exempt any of the Persons aforesaid from paying of Tythes or other Parochial Duties, or any other Duties to the Church or Minister; nor from any Prosecution in any Ecclesiastical Court or elsewhere for the same.

And be it further enacted by the Authority aforesaid, That if any Person dissenting from the

Church of *England*, as aforesaid, shall hereafter be chosen or otherwise appointed to bear the Office of High Constable, or Petit Constable, Churchwarden, Overseer of the Poor, or any other Parochial or Ward-Office, and such Person shall scruple to take upon him any of the said Offices in regard of the Oaths, or any other Matter or Thing required by the Law to be taken or done in respect of such Office, every such Person shall and may execute such Office or Employment by a sufficient Deputy, by him to be provided, that shall comply with the Laws on this Behalf.

Provided always, the said Deputy be allowed and approved by such Person or Persons, in such Manner as such Officer or Officers respectively should by Law have been allowed and approved.

And be it further enacted by the Authority aforesaid, That no Person dissenting from the Church of *England*, in holy Orders, or pretended holy Orders, or pretending to holy Orders, nor any Preacher or Teacher of any Congregation of Dissenting Protestants, that shall make and subscribe the Declaration aforesaid, and take the said Oaths at the General or Quarter-Sessions of the Peace, to be held for the County, Town, Parts or Division where such Person lives; which Court is hereby impowered to administer the same; and shall also declare his Approbation of, and subscribe the Articles of Religion, mentioned in the Statute made in the Thirteenth Year of the Reign of the late Queen *Elizabeth*, except the Thirty fourth, Thirty fifth, and Thirty sixth, and these Words of the twentieth Article, *viz.* [*The Church hath Power to decree Rites or Ceremonies, and Authority in Controversies of Faith*] and yet shall be liable to any of the Pains or Penalties mentioned in an Act made in the Seventeenth Year of the Reign of King *Charles* II. intituled, *An Act for restraining Nonconformists from inhabiting in Corporations;* nor the Penalties mentioned in the aforesaid Act made in the Two and twentieth Year of his said late Majesty's Reign, for or by reason of such Persons preaching at any Meeting for the Exercise of Religion; nor to the Penalty of One hundred Pounds, mentioned in an Act made in the Thirteenth and Fourteenth of King *Charles* II. intituled, *An Act for the Uniformity of publick Prayers, and Administration of Sacraments, and other Rites and Ceremonies; and for establishing the Form of Making, Ordaining, and Consecrating of Bishops, Priests, and Deacons in the Church of England,* for officiating in any Congregation for the Exercise of Religion, permitted and allowed by this Act.

Provided always, That the making and subscribing the said Declaration, and the taking the said Oaths, and making the Declaration of Approbation and Subscription to the said Articles, in Manner as aforesaid, by every respective Person or Persons herein before mentioned, at such General or Quarter-Sessions of the Peace as aforesaid, shall be then and there entred of Record in the said Court, for which Six-pence shall be paid to the Clerk of the Peace, and no more.

Provided, That such Person shall not at any Time preach in any Place, but with the Doors not locked, barred or bolted, as aforesaid.

And whereas some Dissenting Protestants scruple the Baptizing of Infants; Be it enacted by the Authority aforesaid, That every Person in pretended holy Orders, or pretending to holy Orders, or Preacher, or Teacher, that shall subscribe

the aforesaid Articles of Religion, (except before excepted, and also except Part of the Seven and twentieth Article, touching *Infant-Baptism*) and shall take the said Oaths, and make and subscribe the Declaration aforesaid, in manner aforesaid, every such Person shall enjoy all the Privileges, Benefits and Advantages, which any other Dissenting Minister, as aforesaid, might have or enjoy by virtue of this Act.

And be it further enacted by the Authority aforesaid, That every Teacher or Preacher in Holy Orders, or pretended Holy Orders, that is a Minister, Preacher or Teacher of a Congregation, that shall take the Oaths herein required, and make and subscribe the Declaration aforesaid, and also subscribe such of the aforesaid Articles of the Church of *England*, as are required by this Act in manner aforesaid, shall be thenceforth exempted from serving upon any Jury, or from being chosen or appointed to bear the Office of Church-Warden, Overseer of the Poor, or any other Parochial or Ward-Office, or other Office in any Hundred, of any Shire, City, Town, Parish, Division or Wapentake.

And be it further enacted by the Authority aforesaid, That every Justice of the Peace may at any Time hereafter require any Person, that goes to any Meeting for Exercise of Religion, to make and subscribe the Declaration aforesaid, and also to take the said Oaths, or Declaration of Fidelity herein after mentioned, in case such Person scruples the taking of an Oath; and upon Refusal thereof, such Justice of the Peace is hereby required to commit such Person to Prison without Bail or Mainprize; and to certify the Name of such Person to the next General or Quarter Sessions of the Peace to be held for that County, City, Town, Part or Division where such Person then resides: And if such Person so committed, shall, upon a Second Tender at the General or Quarter Sessions, refuse to make and subscribe the Declaration aforesaid, such Person refusing shall be then and there recorded; and he shall be taken thenceforth, to all Intents and Purposes, for a Popish Recusant Convict, and suffer accordingly, and incur all the Penalties and Forfeitures of all the aforesaid Laws.

And whereas there are certain other Persons, Dissenters from the Church of *England*, who scruple the taking of any Oath; Be it enacted by the Authority aforesaid, That every such Person shall make and subscribe the aforesaid Declaration, and also this Declaration of Fidelity following; *viz.*

I A. B. do Sincerely Promise, and Solemnly Declare before God and the World, that I will be True and Faithful to King William and Queen Mary; and I do solemnly profess and declare, that I do from my Heart abhor, detest and renounce, as impious and heretical, that damnable Doctrine and Pession, That Princes Excommunicated, or deprived by the Pope, or any Authority of the See of Rome, may be deposed or murdered by their Subjects, or any other whatsoever. And I do declare, That no Foreign Prince, Person, Prelate, State or Potentate, hath, or ought to have, any Power, Jurisdiction, Superiority, Preeminence or Authority, Ecclesiastical or Spiritual, within this Realm.

And shall subscribe a Profession of their Christian Belief, in these Words;

I A. B. profess Faith in God the Father, and in Jesus Christ his Eternal Son, the True God, and in the Holy Spirit, One God blessed for evermore; and do acknowledge the Holy Scriptures of the Old and New Testament to be given by Divine Inspiration.

Which Declarations and Subscription shall be made, and entred of Record, at the General or Quarter Sessions of the Peace for the County, City, or Place where every such Person shall then reside. And every such Person that shall make and subscribe the Two Declarations and Profession aforesaid, being thereunto required, shall be exempted from all the Pains and Penalties of all and every the aforesaid Statutes made against Popish Recusants, or Protestant Nonconformists; and also from the Penalties of an Act made in the Fifth Year of the Reign of the late Queen *Elizabeth*, entitled, *An Act for the Assurance of the Queen's Royal Power, over all Estates and Subjects within Her Dominions*; for or by reason of such Persons not taking, or refusing to take the Oath mentioned in the said Act; and also from the Penalties of an Act made in the Thirteenth and Fourteenth Years of the Reign of King *Charles II.* entitled, *An Act for preventing Mischiefs that may arise by certain Persons (called Quakers) refusing to take Lawful Oaths*; and enjoy all other the Benefits, Privileges and Advantages, under the like Limitations, Proviso's and Conditions, which any other Dissenters shall, or ought to enjoy by virtue of this Act.

Provided always, and be it enacted by the Authority aforesaid, That in case any Person shall refuse to take the said Oaths, when tender'd to them, which every Justice of the Peace is hereby empower'd to do, such Person shall not be admitted to make and subscribe the Two Declarations aforesaid, tho' required thereunto either before any Justice of the Peace, or at the General or Quarter Sessions, before or after any Conviction of Popish Recusancy, as aforesaid, unless such Person can within Thirty one Days after such Tender of the Declarations to him, produce Two sufficient Protestant Witnesses, to testify upon Oath, that they believe him to be a Protestant Dissenter, or a Certificate under the Hands of Four Protestants who are conformable to the Church of *England*, or have taken the Oaths, and subscribed the Declaration above-mentioned; and shall also produce a Certificate under the Hands and Seals of Six, or more, sufficient Men of the Congregation to which he belongs, owning him for one of them.

Provided also, And be it enacted by the Authority aforesaid, That until such Certificate under the Hands of Six of his Congregation (as aforesaid) be produced, and Two Protestant Witnesses come to attest his being a Protestant Dissenter, or a Certificate under the Hands of four Protestants (as aforesaid) be produced, the Justice of the Peace shall, and hereby is required to take a Recognizance with Two Sureties, in the Penal Sum of Fifty Pounds, to be levied of his Goods and Chattels, Lands and Tenements, to the Use of the King and Queen's Majesties, their Heirs and Successors, for his producing the same; and if he cannot give such Security, to commit him to Prison, there to remain until he has produced such Certificates, or Two Witnesses, as aforesaid.

‘ Provided always, And it is the true Intent and
 ‘ Meaning of this Act, That all the Laws made and
 ‘ provided for the frequenting of Divine Service on
 ‘ the Lord’s Day, commonly call’d *Sunday*, shall be
 ‘ still in force, and executed against all Persons
 ‘ that offend against the said Laws; except such
 ‘ Persons come to some Congregation, or Assembly
 ‘ of Religious Worship, allowed or permitted by
 ‘ by this Act.

‘ Provided always, And be it further enacted by
 ‘ the Authority aforesaid, That neither this Act,
 ‘ nor any Clause, Article, or Thing herein contain-
 ‘ ed, shall extend, or be construed to extend, to
 ‘ give any Ease, Benefit or Advantage, to any Pa-
 ‘ pish, or Popish Recusant whatsoever; or any Per-
 ‘ son that shall deny, in his Preaching or Writing
 ‘ the Doctrine of the Blessed Trinity, as it is decla-
 ‘ red in the aforesaid Articles of Religion.

‘ Provided always, And be it enacted by the Au-
 ‘ thority aforesaid, That if any Person or Persons,
 ‘ at any Time or Times after the Tenth Day of
 ‘ *June*, do and shall, willingly and of purpose, ma-
 ‘ liciously or contemptuously, come into any Cath-
 ‘ edral or Parish Church, Chapel, or other Congre-
 ‘ gation permitted by this Act, and disquiet or dis-
 ‘ turb the same, or misuse any Preacher or Teacher;
 ‘ such Person or Persons, upon Proof thereof be-
 ‘ fore any Justice of Peace, by Two or more suffi-
 ‘ cient Witnesses, shall find Two Sureties, to be
 ‘ bound by Recognizance in the Penal Sum of Fifty
 ‘ Pounds; and in Default of such Sureties, shall be
 ‘ committed to Prison, there to remain till the next
 ‘ General or Quarter Sessions; and upon Conviction
 ‘ of the said Offence at the said General or Quarter
 ‘ Sessions, shall suffer the Pain and Penalty of Twen-
 ‘ ty Pounds, to the Use of the King and Queen’s
 ‘ Majesties, their Heirs and Successors.

‘ Provided always, That no Congregation or As-
 ‘ sembly for Religious Worship, shall be permitted
 ‘ or allowed by this Act, until the Place of such
 ‘ Meeting shall be certified to the Bishop of the
 ‘ Diocese, or to the Archdeacon of that Archdea-
 ‘ conry, or to the Justices of the Peace, at the Ge-
 ‘ neral or Quarter Sessions of the Peace, for the
 ‘ County, City, or Place in which such Meeting
 ‘ shall be held, and registered in the said Bishop’s
 ‘ or Archdeacon’s Court respectively, or recorded at
 ‘ the said General or Quarter Sessions; the Register
 ‘ or Clerk of the Peace whereof respectively, is
 ‘ hereby required to register the same, and to give
 ‘ Certificate thereof to such Person as shall demand
 ‘ the same; for which there shall be no greater
 ‘ Fee nor Reward taken, than the Sum of Six-
 ‘ Pence.

Mr. *Dodd*. The next is the Queen’s Letter to
 the Bishops: We have it from the *Cotton Library*,
 and a Person here, that has the Custody of it, and
 proves it a True Copy.

Then Mr. Rawlinson was Sworn.

Mr. *Dodd*. Pray give my Lords an Account,
 whether you examin’d that Paper; and where: and
 whether it be a True Copy.

Rawlinson. I examin’d it in the *Cotton Li-
 brary*, and (Errors excepted) I believe it a True
 Copy.

Mr. *Dodd*. Do you believe it to be a True
 Copy?

Rawlinson. Yes, I do believe it.

‘ Clerk reads] ‘ *A Letter from the Queenes Ma-
 ‘ jesty, sent to the Bishops through England,
 ‘ for the suppressing of the Exercise called Pro-
 ‘ phecyeing.*

‘ R I G H T Reverend Father in God, Cotton Library,
 Cleopatra, F. 2.
 fol. 287, 288,
 289.
 ‘ We greet you well. We hear
 ‘ to our great Griefe, that in sundry
 ‘ Parts of our Realme there are no small
 ‘ Numbers of Persons presuming to be Teachers, and
 ‘ Preachers of the Church, tho’ neither lawfull there-
 ‘ unto called, no yet for the same, which contrary to
 ‘ our Laws established for the publique Devine Service
 ‘ of Almighty God, and the Administration of his
 ‘ holie Sacrement within this Church of *Eng-
 land*, doe daillie devise, imagine, propound and
 ‘ put in execution sundrie new Rites and Forms
 ‘ in the Church, as well by their preaching, read-
 ‘ ings, and ministring the Sacraments, as well
 ‘ by procureing unlawful Assemblies of a great Num-
 ‘ ber of our People out of either their ordinary
 ‘ Parishes, and from Place far distant; and that
 ‘ also of some of good-will, calling (though there-
 ‘ in not well advised) to be Hearers of their Dis-
 ‘ putations, and new devised Opinions upon points
 ‘ of Devinities, farre and unmeet of unlarge Peo-
 ‘ ple; which manner of Invasions they in some
 ‘ places call Prophecings, and in some other places
 ‘ Exercises. By which manner of Assemblies great
 ‘ Numbers of our People, especially the vulgar sort,
 ‘ meete to be otherwise occupied with honest La-
 ‘ bour for there Livinge, are brought to Idleness,
 ‘ and seduced, and in a manner schismatically de-
 ‘ vided amongst themselves into varietie of dange-
 ‘ rous Opinions, not only in Towns and Parishes,
 ‘ but even in some Families; and manifestly there-
 ‘ by incorraged to the Violation of our Laws, and
 ‘ to the Breach of common Order, and finalie to
 ‘ the Offence of all our quiett Subjects that de-
 ‘ sire to serve God according to the uniforme Or-
 ‘ ders off established in the Church, wherof the
 ‘ Sequele cannot be but over-dangerous to be suf-
 ‘ fered. Wherefore, considering it should be the
 ‘ Duty of the Bishoppes, being the principal ordi-
 ‘ nary Officers in the Church of God, as you are
 ‘ one, to see this Dishonors against the Honor of
 ‘ God, and the Quietness of the Church reformed:
 ‘ And that we see that by the Increase of these,
 ‘ through Sufferance, great danger may ensue even
 ‘ to the decay of the Christianne Faith, whereof
 ‘ we are by God appointed the Defendor; besides
 ‘ the other Inconveniencies, to the disturbance of
 ‘ our peaceable Government. We therefore, accord-
 ‘ ing to Authoritie we have, do Charge and
 ‘ Command you, as the Bishopp of that Dyocesse,
 ‘ with all manner of Diligence, to take Order
 ‘ through your Diocesse, as well in Places exempt
 ‘ as otherwise; that no manner of Publique and
 ‘ Devine Service, nor other Form of th’ Admini-
 ‘ stration of the Holy Sacraments, nor any other
 ‘ Rightes or Ceremonies be in any sort used in the
 ‘ Church, but directlie according to the Orders
 ‘ established by our Laws. Nether that any maner
 ‘ of Person be suffred within your Diocesse to
 ‘ preach, teach, read or anie exercise any Function
 ‘ in the Church, but such as shall be lawfully Ap-
 ‘ proved and Licensed, as Persons able for their
 ‘ Knowledge, and conformable to the Ministrie in
 ‘ the Rites and Ceremonies of the Church of *Eng-
 land*. And where there shall not be sufficient able
 ‘ Persons for Learning in any Cures, to preach or
 ‘ instruct their Cures as were requiset, there shall
 ‘ you

you lymitte the Curates to read the publique Homlines, according to the Injunctions heretofore by us given for like Causes: And furthermore considering, for the great Abuse that have byn in sundrie Places of our Realme, by reason of our forsaide Assemblies called Exercises, and for that the same are not, nor have not been Appointed nor Warranted by us or by our Laws, we Will and straightlie Charge you, that you do charge the same forthwith to cease, and not to be used: But if any shall attempt, or continew or renew the same, We will you not onlie to committe thereunto Prison, as Maynteyners of Disorders, but also to advertise Us or our Counsaile of the Names and Qualities of them, and of their Mayntainers and Abbettors, that thereupon for better Example their Punishment may be more sharp for their Reformation. And in these things we charge you to be so careful and villiant, as by your Negligence if we should hear of any Person attempting to fend in the Premisses without your Correccion or Information to us, we be not forced to make some Example or Reformation of you, according to your Deserts.

Given under our Signet, at our Mannor of Greenwich, the 7th of May, 1577.

Mr. *Phipps*. Your Lordships observe, this is a Letter from Queen *Elizabeth* to the Bishops, taking Notice of the Danger that might arise from the Prophesyings, and directs them to take care to suppress those unlawful Assemblies; and now we will read to your Lordships the Letter from the Archbishop to the Council, wherein he tells them, that he could not comply with Her Majesty's Command.

Clerk reads.]

To the Lords of the Privy-Council.

RIGHT Honorable and my singlar good Lords; I cannot deny but that I have been commanded both by the Quenes Majestie herself, and also by divers of your Honorable Lordships in Her Name, to suppress all those Exercises within my Province, that are commonly called Prophesies; but I do protest before God, the Judge of all Hartes, that I did not of any Stubberness or Wilfulness refuse to Accomplish the same, but onely upon Conscience; for that I found such kind of Exercise set down in the Holie Scriptures, and the use of the same to have continued in the Primitive Church, and was perswaded that (the Abuses being reformed which I always offer'd myself ready to Labour in) the said Exercise might yet serve to the great Profitt of the Church, and feared that the utter suppressing of them would breed Offence, and therefore was a most humble Suter unto Her Majestie, that I might not be made the chiefe Instrument in suppressing the same: Yet not prejudicing or condemning any that in respect of Pollicie or otherwise should be of contrary Judgment, or being of Authority, should suppress them: For I know right well, that there be some things of that Nature, wherein diverse Men may be of diverse Opinions, and abownd in their owne Sense, (being not repugnant to the Analogie of Faith) without any Prejudice to their Salvation, or any Prejudice of ether to other. Notwithstanding however others being otherwise perswaded, might safely do yt; yet I thought it not safe for me (being so perswaded in Minde) to be the Doer of that whereof my

own Heart and Conscience would condemn me. And whereas I have susteyned the Restraint of my Libertie, and Sequestration of my Jurisdiction nowe by the space of six Monethes, I am so farre from Repininge thereat, or thinkinge my self injuriously or hardlie dealt withal therein at Her Majesties Hands, that I do thankfully Embrace, and franklie, with all Humilite, acknowledge her Princely, Gracious, and Rare Clemencie towards me, who having Authoritie and Power to have used greater and sharper Severitie againste me, and for good Pollicie and Example thinking it so expedient, hath notwithstanding dealt so mercifullie, myldelye, and gentlie with me. But the greatest Griefe that ever I have had or have, is the Loss of Her Majesties Favour, and the susteyninge of the Displeasure of so gracious a Sovereigne, by whom the Church and Realm of *Englande* hath been so longe and so happilie Governed; and by whom my self privatelie and speciallie above other Subjects have received so many and so great Benefitts above all my Deservings, for the recovery of whose gracious Favour, I most humbly beseech your Lordships to be a meanes to Her Majestie for me: The which obteyned, I shall esteeme far above all worldly Benefits whatsoever. And I protest here before God and your Honours, that not onely my dewtifull and humble Obedience to Her Majestie shall be suche, as She shall have no Cause to Repente Her of Her graciouse Goodness and Clemencie shewed unto me; but also that by moste fervente, heartie, and dailie Prayer (as I have done hitherto) so I will contynew, accordinge to my bownden Dewtie, to make moste earnesteste Sute unto Almightye God for the longe Preservation of Her Majesties moste happie Raigne, to the unspeakable Benefitt of the Church and Realm of *England*, &c.

29 Novemb.
1577.

EDM. CANTUAR.

Mr. *Dodd*. We hope these Two Letters have set that Matter in a true Light, that the Reason of the Archbishop's Disgrace was, for not complying with the Commands of the Queen. We will add no more upon this Article, but proceed to the Third.

Mr. *Phipps*. My Lords, The Dates of these Letters are Material; for your Lordships take notice, they were written in the Year 1577; and Her Majesty's Commands for suppressing the Prophesyings not being obeyed, the *Puritans* in few Years became so dangerous, that the Parliament was necessitated to make the Act of the 35th Year of Her Reign, (with those severe Penalties, which have been so much censured by one of the Learned Managers) to give a Check to them.

Mr. *Dodd*. **M**Y Lords, The Third Article that the Doctour is charged with, is, That he does suggest and assert, That the Church of England is in a Condition of great Peril and Adversity under Her Majesty's Administration; And that, in order to arraign and blacken the Vote or Resolution of both Houses of Parliament, approved by Her Majesty, he, in Opposition thereto, does suggest the Church to be in Danger. And, my Lords, this we take the Liberty totally to deny: the Doctour asserts no such Thing in his Sermon, nor hath it (as we apprehend) been proved upon him.

But true it is, that he asserts That when National Sins are ripened to Maturity, with other Immoralities

ties and Irreligious Practices therein mentioned, then such a People and Church are in very great Danger, as we apprehend, from the Sins and Vices of wicked Men. My Lords, This we conceive no ways to be opposite to the Votes of the Two Houses of Parliament, nor to Her Majesty's Declaration: We think we have followed the Act of Parliament of the 9th and 10th of King *William*, for suppressing Blasphemy and Prophaneness, and other Acts of Parliament, in asserting this Matter. It must be agreed, that the Church, as a Church Militant, is always in Danger, till it is a Church Triumphant: It is always taken Notice so to be; she has many Enemies; she ought to be always on her Guard and Watch, and all good People ought to pray for her Support. The Prayers directed by Her Majesty to be used, and that are used in all Churches, are, *That no Sedition may disturb the State, nor Schism distract this Church*; and that we all ought to lay it to Heart, how great Dangers we are in by our unhappy Divisions: These are the Prayers that are put up every Day in the Churches. Now to object from this, that we look on the Church to be in Danger under Her Majesty's Administration, is so directly contrary to what the Doctor has asserted in his Sermon, wherein he does, as a good and loyal Subject, pray, and pray heartily for the Best of Queens, *that she may long live for the Comfort and Support of this Church and Nation*; after this, one would think, when he has so positively laid it down in plain Words, there could be no Ground to quarrel with him on this Head. And as to that which was urged by one of the Gentlemen Managers for the House of Commons, observing that the Doctor's Expressions were taken out of the *Lamentations*, and that when the *Lamentations* were written, the King was a Prisoner, and the People in Captivity; and therefore the Doctor intended the Parallel to answer the present Times; surely no such Inference can be drawn from these Passages: I hope the People are in no Captivity whatsoever; nor is our Queen (blessed be God) a Prisoner. And if it was intended by the Gentleman Manager, (as I suppose it was) that the Doctor herein meant the *Pretender*; the Doctor utterly denies it, and has all along disclaimed his Right, and asserted Her Majesty's Right in very express Terms. But in this Place cited by the Doctor, is represented the Prophet's Lamentation for the Sins of the People, and the Judgments that had overtaken the *Jews* for their Sins and Rebellion. The like Prayers may be observed to have been made by King *David*, and yet the Church of the *Jews* was in the greatest Prosperity in his Time: However, there is scarce a *Psalms* but he laments the Sins of the People, for fear lest they should bring down Judgments on the *Jewish* Church and State. This is pathetically express'd almost throughout all the *Psalms*.

As to the Allegation, That *the Members of both Houses were Conspiring the Ruin of the Church*, he totally denies it; nor has the Doctor, in all his Sermon, mentioned the Votes of the Two Houses: Therefore for the Article to charge the Doctor with asserting, *That the Members of both Houses, who pass'd the Vote relating to the Danger of the Church, were Conspiring her Ruin, when they Voted her out of Danger*, is a mistaken Fact. That Vote was almost Four Years ago. There could be no Reason to think he reflected on that Vote; nor is there any Thing that can induce your Lordships (as we humbly apprehend) in the Doctor's Sermon, to believe such a Charge. The Passage in the Doctor's Ser-

mon relates to the Wars in the late Times: And as in those Days there were many ill Men, and God permitted them to bring their ill Designs about; so it is plain, that there were many good Men innocent, as my Lord *Clarendon* expresses it, that had no such ill Designs. Now, when your Lordships and the Commons pass'd that Vote, no doubt it was a just Vote, and gave a great Satisfaction: But no body could expect that Passage to be turned on the Doctor, as a Reflection on your Lordships, the Commons, and Her Majesty, in relation to that Vote. But what he reflects upon is quite another Thing: He takes notice, that the Church is in Danger from evil Men, from evil Practices, and evil Books that are daily published. We hope your Lordships will not take it, that when we urge this, we intend to reflect either on the Pastors of the Church, or the Ministry of the Queen; for it would be hard, that they should be answerable for all those Pamphlets. But when such are published to poison the Notions of the People, and a Minister in the Pulpit takes Notice of them, to prevent the ill Consequences of them; whether this can have such a Construction as has been contended for, we may safely submit to your Lordships. The now asserting the Christian Faith to be in Danger by Vice and Irreligion, cannot be contrary to the Votes in the Articles alledged, nor affect him, who makes the Assertion, with any Crime, or (as we think) subject him to any Punishment.

My Lords, We shall be the shorter in opening this Article, because we fear we shall be very long in our Evidence upon this Head; we shall produce and give in Evidence several Books that daily come out, which contain the highest Blasphemy, Irreligion and Heresy that can be published. I will not take upon me to open them, they are so horrid, I leave the Passages to be read, that your Lordships may see what Grounds there are for a Preacher in the Pulpit to take Notice of these Matters. When the Church is run down, the Clergy vilify'd; when they tell us a grey Coat has as much Authority to administer the Sacrament as a black Coat; and that a Country-Man may make as good a Priest as the Parson of the Parish: These Things may excuse the Zeal of the Doctor in so warmly Reprehending them.

We shall read abundance of this sort of Learning, and we shall do it only to shew that there was Reason for the Doctor in the Pulpit to forewarn the People, to caution them that they may not have ill Impressions made upon them, by such wicked and scurrilous Writings. We shall humbly offer our Evidence to your Lordships, and then submit this Article.

Mr. *Phipps*. **M**Y Lords, I am now to speak to the Third Article exhibited by the Commons of *Great Britain* against Doctor *Sacheverell*: And I humbly beg your Lordships Patience, while I take Notice of the several Branches of this Article, and shew your Lordships, that the Doctor is not guilty of any Offence therein charged.

As to such Part of this Article as charges the Doctor, *That he doth falsely and seditiously suggest and assert, that the Church of England is in a Condition of great Peril and Adversity under Her Majesty's Administration; and that to arraign and blacken the Vote and Resolution of both Houses of Parliament, approv'd by Her Majesty, he, in Opposition thereto, doth suggest the Church to be in Danger*:

I beg Leave to take Notice, that the First Part of the Fourth Article explains this Branch of the Third Article, and shews what the Commons meant by the Church being in Danger under Her Majesty's Administration: For the First Part of the Fourth Article says, That the Doctor suggests, that her Majesty's Administration in Ecclesiastical and Civil Affairs tends to the Destruction of the Constitution. So that by charging that the Doctor asserts the Church is in Danger under Her Majesty's Administration, it must be intended that he asserts the Church to be in Danger by Reason of Her Majesty's Administration. And therefore if there be any Expression in the Doctor's Sermon which suggests the Church to be in Danger; yet if it be not also therein asserted that the Danger proceeds from Her Majesty's Administration, the Doctor cannot be an Offender within the Meaning and Intention of this Article: And the Doctor denies, that he hath asserted any thing in his Sermon, from whence any such Suggestion can be inferred.

To give your Lordships full Satisfaction in this Point, I shall first take Notice of the several Clauses in the Doctor's Sermon at St. Paul's, which have been cited to make good this Article.

The first Passage quoted for this Purpose, is in Page the 5th, where the Doctor thus expresseth himself: *I shall take the Expression in its full Latitude, without confining it to the express Design of the Place, tho' it were very obvious to draw a Parallel here betwixt the sad Circumstances of the Church of Corinth formerly, and of the Church of England at present; wherein her Holy Communion has been rent and divided by factious and schismatical Impostors; her pure Doctrine has been corrupted and defiled; her Primitive Worship and Discipline prophaned and abused; her sacred Orders denied and vilified; her Priests and Professors (like St. Paul) calumniated, misrepresented and ridiculed; her Altars and Sacraments prostituted to Hypocrites, Deists, Socinians and Atheists; and this done, I wish I could not say, without Discouragement, I am sure with Impunity, not only by our professed Enemies; but, which is worse, by our pretended Friends and False Brethren.*

This is the Passage which is chiefly insisted on to make good this Branch of the Article. My Lords, Is there not too much Truth in this Clause? Hath not the Communion of the Church been rent and divided by some Factious and Schismatical Teachers in Separate Congregations, who have no Orders at all; and by others who refuse to take the Oaths, and will not comply with the Act of Toleration; by Popish Priests, who have drawn away Persons from our Communion to their Church? Have not her Sacred Orders been denied and vilified by the Papists, who pretend Archbishop Parker was consecrated at the *Nag's-Head*? Are not her Altars and Sacraments prostituted to Atheists, Deists and Socinians, who communicate to qualify themselves for Offices and Places of Trust; and yet, Is there any thing in this Clause can support this Article? Are these Evils charged upon Her Majesty; or is it asserted, that these Mischiefs are owing to, or proceed from Her Majesty's Administration?

The next Paragraph cited to maintain this Article, is in the 14th Page, where the Doctor says, *In short, as the English Government can never be secure on any other Principles, but strictly those of the Church of England; so I will be bold to say, where any Part of it is trusted in Persons of any other Notions, they must be false to themselves, if they are true to their Trusts; or if they are true to their Opinions and In-*

terest, must betray that Government they are Enemies to upon Principle. Indeed, we must do them that Justice, to confess, That since the Sectarists have found a way (which their Fore-fathers, God knows, as wicked as they were, would have abhor'd) to swallow not only Oaths, but Sacraments, to qualify themselves to get into Places and Preferments; these sanctify'd Hypocrites can put on a shew of Loyalty, and seem tolerably easy in the Government, if they can ingross the Honours and Profits of it: But, let Her Majesty reach out Her little Finger to touch their Loins, and these Sworn Adversaries to Passive Obedience, and the Royal Family, shall fret themselves, and Curse their Queen and their God, and shall look upwards.

Here is not one Word of the Church being in Danger by Her Majesty's Administration: He only shews the Danger the *English* Government may be in by Occasional Conformists put into Offices and Places of Trust. For Occasional Conformists, who are Dissenters, Republicans, Atheists and Deists, that communicate only to qualify themselves for Places, if they are true to their Opinions, cannot be true to the Church of *England* in which they communicate, cannot be true to the Government by which they are entrusted in such Offices; for they will be always promoting their own Principles in Religion, and their own Forms of Government in the State.

Both Lords and Commons were of Opinion, it was not safe to trust Occasional Conformists with the Guardianship of our Church or Crown, when they agreed to the Bill for preventing Occasional Conformity, which Enacts, *That if any Person, who had any Office Civil or Military, or any Command or Place of Trust under Her Majesty; or if any Person bearing any Office of Magistracy, or Place of Trust in Corporations, who by the Laws are oblig'd to receive the Sacrament of the Lord's Supper, according to the Rites and Usage of the Church of England, should after their Admission into their respective Offices, and during their Continuance in such Offices, resort unto any Conventicle, Assembly or Meeting, under Colour or Pretence of any Exercise of Religion, in any other Manner than according to the Liturgy and Practice of the Church of England, they should, being convicted thereof, be disabled from henceforth to hold such Office or Offices.* Though this was never Enacted into a Law, yet as it was the Opinion of both Houses of Parliament, I beg Leave to offer it as a Reason, to confirm what the Doctor hath asserted.

My Lords, I shall trouble your Lordships only with one Passage more, which was urged to prove this Article, which is in Page the 15th, where the Doctor hath these Words; *To lay before you the great Peril and Mischiefs of these False Brethren in Church and State; which I shall endeavour to do, by proving that they weaken, undermine, and betray in themselves, and encourage, and put it into the Power of our profess'd Enemies, to overturn and destroy the Constitution and Establishment of both.* These False Brethren are the Occasional Conformists mention'd in the Page preceding.

I heartily wish, that all who communicate in the Church, were true Sons of the Church; but if, as the Doctor suggests, there are any that communicate at her Altars, who disown her Mission, who refuse to comply with her Liturgy, and are Enemies to her Constitution; if *Arians*, *Socinians*; *Deists*, and almost all Dissenters, and other Enemies to the Church, communicate with her to get Places and

Preferments in Church and State, what Prejudice the Church may receive from such False Brethren, I submit to your Lordships Judgment; begging Leave only to offer to your Lordships, what was said by the Commons at a Conference with your Lordships, upon the Bill for preventing Occasional Conformity; and which, I hope, in an Impeachment by the Commons, will have some Weight with your Lordships.

The Commons upon that Conference were pleased to take Notice, "That when the Corporation-Act was made, the Parliament had fresh in their Minds the Confusions and Calamities that had been brought upon the Nation, by such as pretended to be at the same time in the true Interest of Religion and their Country. That the Parliament by that Act, and afterwards by the Test-Act, thought they had secured our Establishment both in Church and State; and that they had provided a sufficient Barrier to defeat and disappoint any Attempts upon them, by Enacting, *That all in Office should receive the Sacrament of the Lord's Supper, according to the Rites and Usages of the Church of England*; and never imagined a Set of Men would rise up, whose Consciences were too tender to obey the Laws, but harden'd enough to break through any."

Thus, my Lords, having shewn that the Passages cited by the Managers do not maintain this Article, and that the Doctor hath not asserted the Church to be in Danger by Her Majesty's Administration; I will next shew, from what Causes the Doctor doth suggest the Danger of the Church to arise: And of these, Schism is one.

That Schism may distract the Church, a Prayer lately added to our Liturgy tells us. That Separation from the Establish'd Church, which imposeth no Sinful Terms of Communion, is Schism, all the Learned Men of our Church agree; and that there are many People in this Nation that are guilty of Schism, I think no body will deny. And altho' it cannot be imagined, nor is it asserted by the Doctor, that such Schism should grow to such a Head as to endanger the Church, during Her Majesty's happy Administration; yet, what ill Consequence it may be to the Church in another Age, no body can pretend to know, tho' every body may have too much Reason to fear.

So, my Lords, when Men attack the Articles of our Religion and our Homilies, and represent them as Spurious; when they call the Doctrine of Non-Resistance and Passive-Obedience a Blasphemous Doctrine, what Influence that may have hereafter upon our Government both in Church and State, your Lordships are the best Judges.

I submit to your Lordships, if the Queen can be safe, when it shall be averr'd in Print, that there is one on the other Side of the Water that is a *Jure Divino* King, and hath an Hereditary Right. Can the Queen or Church be safe, when all the whole Administration is vilify'd and abus'd as it is in the *Observer*, in this Manner? *Countryman* asks the Question, *Have you any more Knaves to talk of?* *Obs. Honest Countryman, What would you have me to do? If I must run through all the Lists of Knaves, I must bring in all the Courts, all the Employments, all the Classes of Publick Affairs in the Nation.*

Can the Queen be safe, when the Murther of King Charles the First is justify'd in Print, by the *Review* and *Observer*? When the *Wet Martyrdom* of King Charles the First, and *Dry Martyrdom* of King James the Second are said to be all one, and no

Difference between them? I say, How can Her Majesty be safe, when such Rebellious Principles are so publicly avowed? And if Her Majesty be in Danger, can the Church be safe?

All Learned Men that understand our Constitution, have always agreed, that there is such a near Relation between the Church and Monarchy, such a Dependence of one upon the other, that where one falls, the other cannot stand.

Can either Church or Queen be safe, when so great and necessary a Part of our Constitution, our Parliament, is struck at? When it shall be said *that the Members sit in the House to do nothing, making long Speeches without Meaning, and Voting Bills without Design to have them pass?* And when such Rebellious Principles are broached, as I mentioned to your Lordships upon *Friday* last out of the *Review*, to shew the Necessity of Preaching the Doctrine of Passive Obedience, *viz. If the next Parliament should prove like this, the Nation will be so much the nearer that Crisis of Time, when English Liberty being brought to the last Extremity, must open the Magazine of Original Power?* These are some of the Things alledged by the Doctor to be dangerous to the Church and State.

But the chief Causes from whence the Doctor suggests the Danger of our Church and State to proceed, are Atheism, Prophaneness, and Immorality; for he thus expresseth himself, *Pag. 20. What Reason have we to think but that the National Sins are ripen'd up to a full Maturity to call down Vengeance from Providence on a Church and Kingdom thus debauch'd in its Principles, and corrupted in its Manners; and instead of the True Faith, Discipline and Worship, given over to all Licentiousness both in Opinion and Practice; to all Sensuality, Hypocrisy, Lewdness and Atheism?*

From these Sins it is he apprehends the Church and Nation to be in Danger; and what Judgments have been brought down upon Kingdoms and Nations for these Sins, we have Multitudes of Instances, both in Sacred and other Histories; sometimes they have been deprived of the true Worship of God, and overwhelmed with Idolatry and Mahometanism. Is not the Name of God forgot in the Place of his miraculous Birth? And is not the Light of the Gospel totally extinguished where it at first so gloriously shined? And by what Means? By Infidelity, Prophaneness and Immorality. And may not the same Causes produce the same Effects?

Can *England* be always secure from such Judgments, when some amongst us scarce own the first Person of the Trinity, by whom they were created? But many have the Boldness to deny the Divinity of the second Person, by whom they were redeemed, and many other such Blasphemies and Atheistical Notions are daily propagated and spread abroad among us; of which I shall beg your Lordships Permission to cite some few Instances, of those many we shall offer to your Consideration in the Course of our Evidence; and they are such as I hardly dare name, and as your Lordships will scarce bear to hear.

There is a Treatise call'd, *A brief but clear Confutation of the Doctrine of the Trinity*, Page the 9th, he says, *The Divinity attributed to the Son and Holy Ghost is unscriptural and idolatrous.* Page the 14th. *To be short, Trinitarianism is Polytheism and Idolatry, if there be any such Thing in Nature.*

And a Book called *Brief Notes on the Creed of Athanasius*, speaking of the Trinity and Incarnation, says, *A Belief in these Points is in no Degree necessary, much less necessary before all Things.*

The *Account of the Growth of Deism*, Page 17. says, *Many Doctrines are made necessary to Salvation, which it is impossible to believe, because they are in their Nature Absurdities.* Idem, p. 22. *One of my Old Acquaintance always thought the moral Part of the Bible very good; but he also thought that by the Strength of his own Reason, he could have writ as good a Moral himself.*

These are Sins of a very deep Dye, and may justly draw down very heavy Judgments; and altho' we are very well assured, that the Piety of her Majesty alone is sufficient to avert those Judgments that are due to such Crimes during her own Life; and altho' we are sure, that, by her Majesty's Care, and the Vigilance of Her Ministers, those Sins will not grow to such a Head during her Majesty's Life, as to endanger the Church and State; yet (if not prevented) they may take such Root now, as may hereafter endanger the State, the Church, and even Christianity it self: For as among Men, *Nemo repente fuit turpissimus*, so Heresies and Schisms in the Church, Factious and Seditious Principles in the State, are not invented and arrive to the Height at once, but steal by degrees into the Church and State: And therefore, as in the Body Natural, so in the Body Politick, we must meet the Disease, and prevent the spreading of its Contagion: And one of the best Methods to do it, is by our Ministers shewing the Heinousness of these Crimes, and the dangerous Consequences that attend them. And we submit it to your Lordships, whether the Doctor hath any otherwise asserted the Church to be in Danger, than what may happen to her as the Consequences of such Sins; and whether he any where avers the Church to be in Danger by or under her Majesty's Administration.

As to the Votes of both Houses, we dare not presume to say how far they were design'd to extend: But I humbly submit to your Lordships Consideration, whether the Vote of both Houses in 1705, did relate only to such Suggestions and Insinuations of the Church's Danger, as should be made about that Time, or some short time after; or whether it was intended to have a Prospect, and relate to what should be suggested four Years after; whereas it was impossible for the Wit of Man to foresee what should happen in so long a Time.

We were then, as we are now, engaged in a War with a powerful Enemy; a Pretender, supported by that Enemy, and who, since that Vote, attempted to invade these Kingdoms, if that Army of the *French* had been successful in *Flanders*, and the Advantage of the War had turn'd on their Side; and if the Pretender had landed with such a successful and powerful Army of *French* Papists in *Great Britain*, I believe it would have been impossible to have made the Generality of the People avoid thinking both Church and State too in Danger under those Circumstances.

To conclude this Branch, If there be any Thing in his Sermon, from whence it can be inferr'd that he suggests the Church to be in Danger, yet if it be not suggested to be by Reason of her Majesty's Administration; and if it was not done with a wicked, malicious, and seditious Intent to defame Her Majesty's Administration, and to contradict and arraign the Resolutions of both Houses of Parliament; and unless such Intention plainly appears, without *Innuendo's*, he cannot be guilty within the Intent of this Article.

And as to so much of the third Article, which

chargeth that the Doctor, as a Parallel, mentions a Vote that the Person of King Charles the first was voted to be out of Danger, at the same time that his Murderers were conspiring his Death, thereby wickedly and maliciously insinuating, that the Members of both Houses who pass'd the said Vote were then conspiring the Ruin of the Church; I cannot give a better Answer than the Doctor himself hath given to it, viz.

1. That he doth not draw any Parallel between the Vote concerning the King's Person, and the Vote of the Two Houses.

2. That he does not in his Sermon mention the Vote of the Two Houses.

3. That if he had mentioned it, he would not thereby wickedly and maliciously have insinuated that the Members of both Houses, who pass'd that Vote, were then conspiring the Ruin of the Church; but would have insinuated, that as some Persons were conspiring the Murder of the King, whilst others, no way privy to their wicked Intentions, voted his Person to be out of Danger; so when the Two Houses voted the Church to be in no Danger under her Majesty's Administration, there might be some others who were conspiring the Ruin of the Church, and many others, who by their Vice and Infidelity were drawing down God's Vengeance both on Church and State.

Mr. Dee. **M**A Y it please your Lordships to indulge me a little upon his Article, and I beg leave to make a Distinction, as on the last Article, that is, that these Words, *Danger of the Church*, seem in the Articles to bear one Sense, and in the Doctor's Sermon another. The Danger suggested in the Article, is a Danger under Her Majesty's Administration. I must beg leave to say, these Words were put in, to insinuate, that the Doctor does in his Sermon urge the Danger of the Church to arise from her Majesty's Administration; which, I think, is not to be found there; and if they were omitted, then it will stand only thus, That the Doctor doth affirm that the Church of *England* is under great Peril and Adversity; and if so, I hope, the Assertion is not Criminal. I can't, by all the Observation I have made on the Doctor's Sermon, find that the Doctor suggests that there is any form'd Body of Men conspiring to overthrow the Church; but the Doctor says, that there are such Men that are false Brethren that endanger the Doctrines and Discipline of the Church. That there is some sort of Danger, appears by the Form of Prayer that is daily offered up for her Safety, and therefore a general Suggestion of Danger would not have answered the End of the Commons to make the Doctor Criminal, without adding the Words *under Her Majesty's Administration*; and if they can shew that the Doctor in any Part of his Sermon has charg'd the Queen with such Administration as endangers the Church, I am sure I should be very much to blame to appear for him at this Bar: but the contrary, I think, appears, when he prays for her Life, with these Words added, *for the Comfort and Support of this Church and Nation.*

My Lords, I shall say no more to that Part of the Article, it having been fully spoken to already, but beg leave to take Notice, that the Managers for the House of Commons have been pleased to say, That the Doctor has reflected upon the Resolutions of both Houses of Parliament, by drawing a Parallel between the Vote relating to the Murder of King Charles, and the Vote of the Two Houses that

that the Church was not in Danger. My Lords, To make a Parallel there must be Two Lines, a Line first given to draw the Parallel Line to; and I beg leave to say, that in the Doctor's Sermon there is no such first Line given; for he has not in all his Sermon taken Notice of any Vote of both Houses. If he has not taken Notice of this Resolution of both Houses in his Sermon, the Law will not imply that he had any Notice of it. For Votes are private Resolutions of the Houses, and always were so till of late they have been published in Print, and the Printing of them will not infer that he had Notice of them. The Doctor's Distinction in his Answer is very true and plain, that he doth not charge the Persons concerned in passing that Vote with being concerned in that odious and execrable Design of carrying on the Murder of that Royal Prince; (and I hope Charity will carry us so far as to think that very many Persons that join'd in that Vote were not concerned in it) but that yet at the same Time they pass'd that Vote, that bloody Design was carry'd on by a private Junctio of Blood-thirsty Men.

My Lords, I do not admit, but supposing I should admit the Doctor hath contradicted the Resolutions of both Houses, I submit it to your Lordships what Crime the contradicting a Vote of the House of Commons, or the Resolution of both Houses, is. The contradicting a known establish'd Law may be Seditious; but I submit it whether a Vote is so publick an Act, that contradicting it, at least without taking Notice of it, be any Crime, or at least be so high a Crime as to deserve a Censure. It is very certain he may be thought Saucy and Unmannerly to do it, or it may be a Breach of Privilege; but whether your Lordships will interpret it to be a Crime, and such a Crime as will bear an Impeachment for High Crimes and Misdemeanors, I submit to your Lordships.

My Lords, We humbly hope, that notwithstanding any thing yet offered against the Doctor, that your Lordships will be of Opinion, that the acquitting the Doctor of this Impeachment will be a noble and convincing Proof of the undoubted Truth of that Vote, That the Church of *England*, (of which the Doctor is a true, though an unfortunate Son, whilst under a Charge by the Commons of *Great Britain* for High Crimes) under Her Majesty's Administration, is in a safe and flourishing Condition.

Dr. Henckman. **M**Y Lords, We are now upon the Third Article of Impeachment, in which Doctor *Sacheverell* is charged with [*falsly and seditiously suggesting and asserting, That the Church of England is in a Condition of great Peril and Adversity under Her Majesty's Administration.*] If by these Words, *under Her Majesty's Administration*, your Lordships are to understand By the Course and Tendency of Her Majesty's Administration, that Charge we positively deny, and humbly assure ourselves that the Learned Managers have not been able to maintain it, either from the general Scope and Design of the whole Sermon, or from any Passages contained in it.

If by those Words, *under her Majesty's Administration*, is to be understood only during the Time of her Majesty's Administration, then we apprehend that there may be Perils under her Majesty's Administration, which do no ways proceed from such her Administration, and which may be mentioned without any seditious Thought or Intention

of Reflecting upon her Majesty's happy Administration.

If your Lordships look thro' the whole Sermon, it will appear, that he who now stands accused for casting this foul Asperision upon her Majesty, never once mentions her throughout this whole Discourse, but in Terms full of the profoundest Respect and Reverence: In the very beginning of this Sermon, in the second Page, this is reckoned as one chief Part of that Day's Deliverance, which he was then solemnizing, *That this good and pious Relief of the Royal Family sits now happily upon the Throne of her great Ancestors.* In the 19th Page we find him with an honest and hearty Zeal asserting Her Majesty's Right to the Throne, and praying God to bless her in it; and within a few Lines he again repeats that Prayer, *That God would long preserve her on that Throne*, for this very remarkable Reason, *because She is the Comfort and Support of the Established Church.*

Is this, my Lords, the Language of one that would suggest and assert, that very Church to be in a Condition of great Peril and Adversity from her Majesty's Administration? Or can your Lordships presume, that any one can so far prevaricate with God and Man, as openly to thank God for the peculiar Happiness that we now enjoy by her Majesty's sitting on the Throne of her Ancestors, and to beseech him long to preserve her there for the Support and Comfort of the Established Church, and yet assert that that Church is in great Adversity under, that is from her Majesty's Administration?

In this Case your Lordships will suffer me to shew what those Perils are which the Church is said to be in, in this Discourse, and how they do not proceed from her Majesty's Administration.

The Dangers spoken of in this Sermon are either such as arise from the Infidelity and Prophaneness, the Vice and Immorality of the Age, or else such as always have attended the Christian Church from her first Foundation, and always will attend her whilst she continues Militant upon Earth.

That there are Dangers arising to the Church from Infidelity and Prophaneness, is already, I doubt, too evident from those Authors I mentioned under the second Article, and from what the Gentlemen who have spoke before me, have observ'd upon this: If it yet wants a Confirmation, we shall beg leave to lay before your Lordships a black Catalogue of Prophaneness and Blasphemy, not fit to be heard more than once.

As to the Dangers proceeding from Vice and Immorality, the Laws of the Land, and the many Proclamations issued out by Royal Authority upon that Occasion, are an undeniable Evidence of the growing Danger to the Church on that Head, and of her Majesty's special Care to suppress and prevent that Danger. In the Close of those Proclamations Her Majesty declares Her Royal Resolution to punish all manner of Vice, Immorality and Prophaneness in Persons of all Degrees whatsoever, and particularly in such as are near her Royal Person; and these Proclamations are ordered to be read by all Ministers in their respective Congregations at least Four Times in every Year; and they are directed to incite and stir up their Congregations to the Practice of Piety and Virtue, and the avoiding all Immorality and Prophaneness. My Lords, hard is the Fate of Ministers, if they must reprove Prophaneness in Men of all Degrees under Her Majesty's Displeasure; and yet if they once happen to mention Men of Characters and Stations in their publick Discourses,

courses, that too must be made one Part of the Impeachment against him.

My Lords, It was said indeed by a Learned Manager, that the Pulpit was not a proper Place for Complaints of this Nature; that these things ought not to be spoken of in Publick, unless they could be proved; and if they could be proved, those that are known to be guilty should be prosecuted in a due Course of Law. But, my Lords, I humbly apprehend it to be the Duty of a Minister of the Gospel to be instant in season, and out of season; to exhort and rebuke with all Authority, and without Distinction. This their Holy Function obliges them to do, and the Dignity of that Function does and ought to protect them in the Performance of that Duty; but that Ministers should be obliged to prosecute every Offender in a Court of Justice, is not yet known to be any Part of their Office; and he that at any time should take that Part upon him, would hardly avoid that Imputation which many People are ready to lay upon the whole Profession.

In the next Place, your Lordships will consider whether the Dangers mentioned in this Sermon are not such as have in all Ages, and under the best Princes, infested the Church.

I appeal to the Reverend Bench of Bishops, whether even in the Apostles Time there were not Men of unstable Minds crept in among them; some carried about with every wind of Doctrine, deceiving, and being deceived; others teaching for Doctrines the Traditions of Men; and whether in the immediate succeeding Ages the Church was not miserably rent and divided by factious and schismatical Impostors. Their Lordships well know that the pious Care of Christian Emperors was not able to prevent the spreading of old Errors, and the continual springing up of new ones; neither has Her Majesty's peculiar Piety and Zeal prevented many Instances of Prophaneness and Irreligion under Her happy Administration; but certainly no Inference ought to be made from an Historical Account, or bare Mention of such like Perils of the Church, as if that was intended to arraign the Administration of those Princes in whose Times they happen'd.

My Lords, That there are such Dangers attending the Church, even under her Majesty's happy Administration, needs no other Evidence than that Form of Prayer which is by Her Majesty's Authority directed to be used in all Churches; in which we beseech God, *That no Sedition may disturb this State, nor Schism distract this Church; and that he would give us all Grace seriously to lay to Heart the great Danger we are in by our unhappy Divisions.* My Lords, this Prayer is enjoined to be used by publick Authority; and particularly mentions the great Danger of the Church, in being at this Time distracted with Schism; and I must submit it to your Lordships Consideration, how hard it is that a Minister may not from his Pulpit mention those Dangers without Offence, which he is specially commanded to pray against in his Desk.

Mr. Dodd. We shall beg leave to produce several Books, wherein there are the strongest Opinions that perhaps your Lordships ever heard of: And we shall first confine ourselves unto them which relate to Blasphemy, Irreligion and Heresy, which we confess are not pleasant to be heard, or fit to be published, if it were not absolutely necessary for the Doctor's Defence.

Mr. Phipps. My Lords, We begin with some Miscellaneous Tracts, published by Mr. Edward

Hickeringill. And we offer them first to your Lordships Consideration, because he was a false Brother; and we think his Tracts will justify the Doctor in what he hath said in relation to the Church being in Danger, from the Blasphemy and other enormous Crimes mentioned in his Sermon.

Mr. Dee. It's in Page 12.

Clerk reads.] ' The second Pre-
' tender to Infallibility is the Bible; Part 1. p. 12.
' and that I admit too, so soon as
' 'tis agreed which Chapter and Verse is God's
' Word, and which not, and why.—For as for some
' Verses and Clauses in the Holy Bible, the very
' Penmen thereof did not sometimes know very well
' whether the same were the Dictates of the Spirit
' of God or no.—Sometimes they write—*Thus saith*
' *the Lord*—and not I, but the Lord commands, so
' and so: and then again in a Qualm or Quandary,
' modestly pretend to guessing: *I think also*, says
' St. Paul, *that I have the Spirit of God.*

Mr. Thompson. My Lords, upon what is offered to be given in Evidence, the Managers apprehend there is something that will require their Consideration.

Accordingly the Managers withdrew, and then the Lords adjourned to their House above; and in a short time their Lordships being returned, and seated as before, and the Managers being returned to the Place appointed for them at their Lordships Bar, Proclamation for Silence was made by the Serjeant at Arms.

Mr. Thompson. My Lords, The Managers have consider'd the Nature of the Evidence open'd by the Council; and without troubling your Lordships to observe how material it is for the Prisoner's Defence, submit it to your Lordships, whether such impious and blasphemous Passages as the Council were ashamed to repeat, shall be republish'd in so solemn a Manner, by reading them in Evidence before your Lordships.

Lord Chancellor. Gentlemen, You that are of Council for the Doctor may proceed in your Evidence as you shall think proper.

Mr. Dodd. My Lords, We must own there are a Multitude of Sentences never to be repeated, if it were not necessary for our Defence; but we think it so material for the Doctor's Defence, that we dare not depart from it without your Lordships Order.

Mr. Phipps. My Lords, The Reason that Learned Gentleman gave against reading them, is the very Reason we offer for reading them; for the Doctor ascribes the Danger of the Church to those Blasphemies and impious Doctrines and Tenets, that are so frequently published, and which call for God's Judgments on the Nation.

Mr. Dee. My Lords, we desire he may read in the same Book he was reading before.

Clerk reads.] ' For Sabbathising. The
' Sabbath, Oh the Sabbath—called by *Ibid. p. 17.*
' the cunning Priestcraft, not by the
' Holy Scripture, the Lord's Day, to recommend it
' the better to the unthinking Mob.—Of all the
' other Seven Days the Priest's best Market-Day to
' put off his Wares, and turn them into Money.
' Family Duties are the next plausible
' Piece of Priestcraft Divinity, I *Ibid. p. 21.*
' mean Praying with the Family, (not

‘ that I condemn it) tho’ our Blessed Saviour seems
‘ to condemn it by his Practice and Preaching.

Ibid. p. 23. ‘ Saying Grace, an universally cry’d
‘ up Piece of Divinity, Superstition,
‘ or Priestcraft; for we never read
‘ that Christ or his Apostles said Grace, either be-
‘ fore Meat, or after Meat.

Ibid. p. 50. ‘ King *Saul* found to his Cost, that
‘ he had better have displeas’d all
‘ *Israel*, than *Samuel* the good High-
‘ Priest; and had better have rent the Clothes off
‘ from his own Back, than have rent *Samuel’s* Cas-
‘ sock.—It fretted the good old Gentleman; and
‘ in a Passion he said, *God hath rent from thee the*
‘ *Kingdom also, and hath given it to thy Neighbour*
‘ *that is better than thou.*

Ibid. p. 51. ‘ Then the Lord answered, *Take an*
‘ *Heifer with thee, and say I am come*
‘ *to do Sacrifice to the Lord.* The
‘ Policy of Heaven, we see, jumps with our late
‘ Priestcraft in this, to make Religion the common
‘ Covert to hide a Plot.

Ibid. p. 52, ‘ His Kingdom, which was given
‘ to *David*, because he was a Man after
‘ God’s own Heart, (not in Holiness,
‘ that is not meant: for besides his

‘ Adultery and Murder, his many other Sins, and
‘ cursing his Enemies to the Pit of Hell, is unac-
‘ countable;) but after God’s own Heart is a *Hebra-*
‘ *ism*, and in *English* signifies as much as a Man for
‘ my Turn, he will kill and slay as the Priest directs,
‘ by Orders received from Heaven; he will fulfil all
‘ my Will, saith the High-Priest.

Ibid. Part 2. ‘ I can by no means perceive that
‘ this Commission to Teach, Baptize,
‘ Excommunicate, or Absolve, does
‘ properly or more appertain to a
‘ Grey Fryar, or any Black Coat, more than to a
‘ Grey Coat or Layman.

Ibid. p. 14. ‘ To say, the Use, (being for God’s
‘ Service) sanctifies it: So may a Meet-
‘ ing-Houle, a Tabernacle, or my
‘ Dining-Room be consecrated, when we pray and
‘ preach there, or say Grace there, *pro hac vice*;
‘ and *vice versa*, it is unconsecrated when Dinner-
‘ time comes, or the Punch-Bowl.

Mr. *Dee.* *The Rights of the Christian Church* is
the next Book we shall offer to your Lordships.

Clerks reads.] ‘ At the Close of the
Page 105. ‘ Supper, the great Meal with them,
‘ the Master of the Feast distributed
‘ among his Guests small pieces of Bread; and ha-
‘ ving first drank of the Grace-Cup, delivered it to
‘ be handed about: To which Christ, who instituted
‘ no new Rites, superadded the Remembrance of
‘ his Sufferings; and directs his Disciples as often
‘ as they did this, that is, Celebrate such Festivals,
‘ and close them with the *Post-Canium*, to commemo-
‘ rate him after this manner.

Ibid. p. 108. ‘ Does not every one, as well as
‘ the Minister, equally apply the
‘ Bread and Wine to the same Holy
‘ and Spiritual Use, in commemorating the Benefits
‘ received by our Saviour, and in offering up the
‘ same Prayers, and desiring the same Blessings?
‘ And whoever does this with a due Application of
‘ Mind, rightly consecrates the Elements for himself,
‘ since this is the only Consecration they are capable
‘ of: Any thing further than this may rather be
‘ called Conjurat[i]on than Consecration.

Mr. *Dee.* The next Book we offer to your Lord-
ships is *Blount’s Oracles of Reason.*

Clerk reads.] ‘ Reason is able to
‘ furnish us with enough to make us *Preface*, p. 3.
‘ happy, and that is as much as we
‘ need care for.

‘ When he made his Cavalcade *Ibid.* p. 165.
‘ upon *Asinago*, they extoll’d him as
‘ the Descendant of King *David*; but his untimely
‘ Apprehension and Death, together with his Neg-
‘ lect to improve the Inclination of the People to
‘ make him King, did allay the Affections of the
‘ *Jews* towards him.

‘ It seems a very cruel and very *Ibid.* p. 49.
‘ hard thing in this respect, that God
‘ should be said to have tormented, nay, and ruin’d
‘ Mankind, for so small a Fault; and that too com-
‘ mitted thro’ the Levity of a Woman’s Mind.

Mr. *Phipps.* The next is Dr. *Burnet’s Archaeologia*
Sacra.

Clerk reads.] ‘ *Id utique videtur gravissimum, &*
‘ *asperrimum in hac Narratione, quod Gentem hu-*
‘ *manam plexisse, imo perdidisse dicatur Deus ob rem*
‘ *exiguam, & feminilis Ingenii levitate perpetrata.*

Mr. *Phipps.* The next is, *An Account of the*
Growth of Deism.

‘ But since the Gospel Simplicity
‘ has been worn off, the Priests of all *P.* 191, 192,
‘ Churches have agreed, first, That 193.
‘ it is necessary for all Christian Peo-
‘ ple to communicate at the Lord’s Table. Secondly,
‘ That this Sacrament cannot be rightly celebrated
‘ without the Assistance of a Priest, who must con-
‘ secrate the Elements to the Use for which they are
‘ design’d; whereby the Priest is made absolutely
‘ necessary to the very Being of the Sacrament.
‘ The Priest also making himself Judge of every
‘ one’s Preparation for this Sacrament, has it in his
‘ power to admit to a Participation whom he thinks
‘ fit; as likewise to exclude whom he pleases from
‘ this necessary Means of Salvation: And hereby
‘ he is enabled to make his Terms with his People,
‘ who must be contented to save their Souls upon
‘ what Conditions he will admit. No wonder,
‘ then, that so great a Noise has been made con-
‘ cerning this Sacred Commemorative Repast.
‘ That Christian Communion which you read of as
‘ practis’d in the Apostles Days, was nothing else
‘ but a Religious Conversation with Christians one
‘ amongst another. ’Twas for Society-sake that
‘ they went from House to House, that they eat
‘ and drank together frequently.—Now it’s plain,
‘ that this sort of Religious Conversation may be
‘ kept up among Christians without either Priest
‘ or Altar, or any set Form of Prayer, or Praise.
‘ It was long after the Apostles were dead and
‘ buried, before the Temples were built, or Altars
‘ erected, or set Orations were made to the People
‘ in Churches. And what if you should further
‘ consider, if there be any Part of this Primitive
‘ Church-Communion that might not have been
‘ performed by a Woman as well as a Man?—
‘ When the Primitive Christians met together to
‘ break Bread, from Houle to Houle, had any of
‘ their Women crav’d a Blessing on that Bread, we
‘ have

‘ have no Reason to doubt but that God would
‘ have heard her Prayer.

Mr. Phipps. The next is, *A Letter concerning
Enthusiasm.*

Clerk reads.] ‘ Is the doing Good
Page 59. ‘ for Glory’s sake so Divine a thing?
‘ Or is it not diviner to do Good even
‘ where it may be thought inglorious, even to the
‘ ungrateful, and to those who are insensible of the
‘ Good they receive? How comes it then, that
‘ what is so divine in us should lose its Character in
‘ the Divine Being? And that, according as the
‘ Deity is represented to us, he should more resem-
‘ ble the Weak, Womanish, and impotent Part of
‘ our Nature, than the Generous, Manly and Di-
‘ vine?

Ibid. p. 60. ‘ One would think it were easy to
‘ understand, that Provocation and
‘ Offence, Anger, Revenge, Jeal-
‘ ously in point of Honour, or Power, Love of Fame,
‘ Glory, and the like, belong only to limited Be-
‘ ings, and are necessarily excluded a Being which is
‘ perfect and universal.

Ibid. p. 61. ‘ It is Malice only, and not Good-
‘ ness that can make us afraid.
Ibid. p. 62. ‘ So that we have only to consider,
‘ whether there be such a Thing as a
‘ Mind that has relation to the Whole,
‘ or not: For if there be no Mind, we may com-
‘ fort our selves however, that Nature has no
‘ Malice.

Ibid. p. 63. ‘ For no body trembles to think
‘ that there should be no God, but
‘ that there should be one.

Ibid. p. 69. ‘ I am not a Divine good enough
‘ to resolve what Spirit that was which
‘ prov’d so catching among the ancient Prophets,
‘ that even the Prophane *Saul* was taken by it.

Mr. Phipps. The next is, *A Brief, but Clear
Confutation of the Doctrine of the Trinity.*

Page 9. Clerk reads.] ‘ The Divinity at-
‘ tributed to the Son and Holy Ghost,
‘ is unscriptural and idolatrous.

Ibid. p. 10. ‘ This one Fundamental false Prin-
‘ ciple, as well with *Jews* and *Turks*,
‘ as Heathens, has done more Mischiefs to Chri-
‘ stianity than all our other Errors besides.

Ibid. p. 11. ‘ For my part, I declare I shall ne-
‘ ver more admire at the Absurdity of
‘ either Papists, *Turks*, or Heathens;
‘ be they as gross as they will, I am sure they will
‘ never be able to exceed this Doctrine.

Ibid. p. 14. ‘ To be short, Trinitarianism is
‘ Polytheism, and Idolatry; if there
‘ be any such Thing in Nature,

‘ Revelat. 17. 5. *And upon her Forehead was a
‘ Name written, Mystery, Babylon the Great, the
‘ Mother of Harlots, and the Abominations of the
‘ Earth.* And to what I pray, in Popery can that
‘ Word *Mystery* there so properly relate, as to the
‘ Trinity?

Mr. Phipps. The next is, *Brief Notes on the Creed
of Athanasius.*

Page 7. Clerk reads.] ‘ A Belief in these
‘ Points, that have been always con-
‘ troverted in the Churches of God,
‘ is in no degree necessary, much less before all
‘ things.

‘ And now I appeal to all Men that have any
‘ Freedom of Judgment remaining, whether this

‘ Creed is fit to be retained in any Christian, much
‘ less Protestant and Reformed Church? Since it
‘ subverts the Foundations not only of Christianity,
‘ but of all Religion, that is to say, Reason and
‘ Revelation.

Mr. Dec. There is a Book marked with the Let-
ter L, called, *An Account of the Growth of Deism.*

Clerk reads.] ‘ Many Doctrines are
‘ made necessary to Salvation, which Page 17.
‘ it’s impossible to believe, because
‘ they are in their Nature Absurdities. I reply’d,
‘ that these things were Mysteries, and so above
‘ our Understanding. But he asked me, To what
‘ End could an unintelligible Doctrine be revealed?
‘ Not to instruct, but to puzzle and amuse.

‘ One of my old Acquaintance al-
‘ ways thought the moral Part of the Ibid. p. 22.
‘ Bible very good; but then he also
‘ thought that by the Strength of his own Reason
‘ he could have written as good a Moral himself.

‘ If you look over the State of Re-
‘ ligion, as it standeth in *Christendom*, Ibid. p. 24.
‘ there is no Church whatsoever which

‘ will accept you as a Member of its Communion,
‘ but upon some particular Terms of Belief, or
‘ Practice, which Christ never appointed, and it
‘ may be such as an honest and wise Christian can-
‘ not consent to.—It looks like a Trick in all
‘ Churches to take away the Use of Men’s Rea-
‘ son, that they may render us Vassals and Slaves
‘ to all their Dictates and Commands. But what
‘ greater Slavery than to force on Men a Belief of
‘ such Things as necessary to Salvation, of which
‘ it’s not possible to form an Idea? Though I am sa-
‘ tisfied there is no such Thing as a Change of
‘ Bread into the Flesh of Christ, yet I can form an
‘ Idea that such a Thing may be, that the same
‘ Power that changed Earth into a Man, may change
‘ Bread into Flesh; but I can frame to my self no
‘ Idea of what your Church teacheth in the Sacra-
‘ ment, *That the Body and Blood of Christ are verily
‘ and indeed taken and received of the Faithful:*
‘ And when I ask, how can this be understood by
‘ a Protestant who believeth that there is no other
‘ Body but that of Bread? I am told that the
‘ Church means it in a Spiritual Sense. Now I have
‘ try’d, and find it impossible for me to form to my
‘ self an Idea of a Body verily and indeed in a
‘ Spiritual Sense.

‘ Your Church will require me to
‘ believe other Absurdities as bad Ibid. p. 25.
‘ as these; as that Kings and Bi-
‘ shops have Divine Right to that Power which
‘ they exercise over us; whereas with my own Eyes,
‘ I saw our great and gracious King accept the
‘ Crown of *England* as the Gift of the People. And
‘ I see as plainly that Bishops are an Order of
‘ Men of their own (not of Christ’s) making.

‘ I can find no Footsteps of any
‘ Jurisdiction given to the Twelve Ibid. p. 26.
‘ over the Seventy, or indeed over
‘ any body else.

Mr. Dec. The next is, *The History of Religion.*

Clerk reads.] ‘ Strange and puz-
‘ zling Methods of religious Cere- Pag. 310.
‘ monies and Mysteries, and of va-
‘ rious Rites of sacrificing, good for nothing but
‘ to confound and distract the Minds of Men.

‘ In very deed, Creeds were the
‘ Spiritual Revenges of Dissenting Ibid. p. 312.
‘ Parties upon one another.

Mr. Dodd. The next is *Asgyl's* Argument.

‘ *Clerk reads.]* God told *Adam*,
 Pag. 36. ‘ that if he did eat he should die;
 ‘ the Devil told *Eve*, that they might
 ‘ eat and not die; and these were the first Words
 ‘ spoken to Man by God, or the Devil; upon the
 ‘ Truth or Falshood whereof, the very Beings of
 ‘ them both were to depend for ever: For which
 ‘ ever of them could maintain the Truth of his
 ‘ Word against the other, he must have been God,
 ‘ and the other the Devil. And therefore God,
 ‘ having turn’d the Lye upon the Devil, he is from
 ‘ thence call’d a Lyar from the Beginning, and the
 ‘ Father of it, and will never be believ’d again for
 ‘ ever. God could not have dispensed with his
 ‘ Word, without complimenting the Devil, with his
 ‘ Godhead.

‘ What is it that you do, or would
Ibid. p. 82. ‘ believe of Christ, or in Christ?
Ans. Why, we believe him for
 ‘ our Saviour. Save you! from what? Why, from
 ‘ our Sins. Why, what hurt will Sin do you?
 ‘ Why, it will kill us. How do you know? Why,
 ‘ the Law of God saith so: *In the Day thou eatest*
 ‘ *thercof, thou shalt die.* Why, but then will not
 ‘ this Saviour save you from this Law, and from
 ‘ this Death? No, he’ll save us from Sin. Why,
 ‘ then it seems you have got a Pardon for Horfe-
 ‘ Stealing, with a *Non-Obstante* to be hanged. Do
 ‘ but see now what a Jest you have made of your
 ‘ Faith. And yet I defy the Order of Priesthood to
 ‘ form a better Creed than this, without admitting
 ‘ the Truth of my Argument, or to make Sense of
 ‘ their own Faith without adding mine to it. It’s
 ‘ much easier to make a Creed, than to believe it af-
 ‘ ter it’s made: Nor can any Man really believe any
 ‘ Part of the Gospel that doth not believe it at all.
 ‘ For it is a Doctrine so dependant upon it self,
 ‘ that unless we know the whole of it from the Be-
 ‘ ginning to the End, we can’t know the Use and
 ‘ Reason of any Part of it. Wherefore (notwith-
 ‘ standing this Inundation of Death in the World,
 ‘ and the Infection of Fear contracted upon Man
 ‘ from hence) I am not affrighted from re-asserting
 ‘ my Assertion at the beginning, That this long
 ‘ Possession of Death over Man, is a Possession
 ‘ against Right.

‘ Behold, ye Despisers, and won-
Ibid. p. 97. ‘ der! Wonder at what? Wonder to
 ‘ see Paradise Lost, with the Tree
 ‘ of Life in the midst of it! Wonder and curse at
 ‘ *Adam* for an Original Fact, who in the Length
 ‘ of one Day, never so much as thought to put
 ‘ forth his Hand for him, and us, and pull, and
 ‘ eat, and live for ever. Wonder at, and damn your
 ‘ selves for Fool. of the last Impression, that in the
 ‘ Space of 1,00 Years, never so much as thought
 ‘ to put forth our Hands every one for himself, and
 ‘ seal and execute the Covenant of Eternal Life,
 ‘ and live for ever.

‘ To be even with the World at
Ibid. p. 98. ‘ once, he that wonders at my Faith,
 ‘ I wonder at his Unbelief. And
 ‘ stare at me as long as you will, I am sure that
 ‘ neither my Physiognomy, Sins, nor Misfortunes,
 ‘ can make me look so unlikely to be translated, as
 ‘ my Redeemer was to be hanged.

Mr. Dee. The next is a Book call’d, *Christianity*
not Mystrious.

‘ *Clerk reads.]* God himself, nor
 ‘ any of his Attributes are Myste- Pag. 80.
 ‘ ries to us for want of an ade-
 ‘ quate Idea: No, not Eternity.
 ‘ As far as any Church allows of
 ‘ Mysteries, so far it is Antichristian, *Ibid. p. 107.*
 ‘ and may with a great deal of Ju-
 ‘ stice, though little Honour, claim Kindred with
 ‘ the Scarlet Whore.
 ‘ For to speak freely, Contradic-
 ‘ tion and Mystery are but two Em- *Ibid. p. 134.*
 ‘ phatick Ways of saying nothing.
 ‘ Contradiction expresses nothing by a Couple of
 ‘ Ideas that destroy one another; and Mystery
 ‘ expresses nothing, by Words that have no Ideas
 ‘ at all.
 ‘ It will not be amiss to lay down
 ‘ a short Parallel of the ancient Hea- *Ibid. p. 156.*
 ‘ then, and new-coin’d Christian
 ‘ Mysteries. And I shall endeavour so to do it, as
 ‘ to make it evident they were one in Nature,
 ‘ however different in their Subjects.

Mr. Dee. The next is Sermons and Essays of
 Mr. *Whiston's*.

‘ *Clerk reads.]* When the Scrip-
 ‘ tures speak of the one God, or Pag. 213.
 ‘ of one God, they plainly and di-
 ‘ stinctly mean, one Original Fountain and Author
 ‘ of all Beings whatsoever; or mean thereby one
 ‘ Supreme God, the Father only.
 ‘ The Moderns call’d these three
 ‘ Divine Persons but one God, and *Ibid. p. 215.*
 ‘ so introduced at least a new, and
 ‘ unscriptural, and inaccurate, if not a false Way
 ‘ of speaking in the Church.

Mr. Dee. He makes it an *Errata*, that he has
 named the Trinity, and put it out of the Book.

‘ *Clerk reads.]* *Errata*, Pag. 123.
 ‘ lin. 23, 24. To whom with the *Ibid. p. 415.*
 ‘ Father, and the Holy Ghost, read,
 ‘ in the Holy Ghost; and *dele* Three Persons and
 ‘ one God.

Mr. Dee. The next is, *The Unreasonableness of*
making and imposing Creeds.

‘ *Clerk reads.]* But what Creeds
 ‘ and Articles of Faith can be pro- Page 14, 15.
 ‘ duced that are not doubtful and
 ‘ disputable? That which goes under the Name of
 ‘ the Apostles not excepted. It being neither of
 ‘ undoubted Authority, nor indisputable, or unam-
 ‘ biguous Sense in some Articles thereof; though
 ‘ it be generally received by Christians and as ve-
 ‘ nerable for its Antiquity, and professed, or ra-
 ‘ ther said, by all, even those who understand not
 ‘ what they say when they recite it.

Mr. Dee. The next, *An Account of the Growth*
of Deism.

‘ *Clerk reads.]* If those Writings
 ‘ which they call Holy Scriptures Page 25.
 ‘ are of their Side, as they all say
 ‘ they are, I make no doubt, but they are of their
 ‘ own inventing. And if Jesus Christ their Pa-
 ‘ tron laid their Foundation of those Powers,
 ‘ which both Papist and Protestant Clergy claim to
 ‘ themselves, from under him, I think the old Ro-
 ‘ mans

mans did him Right in punishing him with the Death of a Slave.

Mr. Phipps. We shall next shew some Papers that reflect on the Church and Clergy; and shall first offer to your Lordships Consideration the Rights of the Christian Church.

Page 47. Clerk reads.] Not only an independent Power of Excommunication, but of Ordination in the Clergy, is inconsistent with the Magistrates Right to protect the Commonwealth.

Ibid. p. 104. The Scriptures no where make the receiving the Lord's Supper from a Priest necessary; nay, not one Instance of the Laity's receiving it so can be produced from thence.

Ibid. pag. 237. It can belong only to the People to appoint their own Ecclesiastical Officers.—It's an inherent fundamental Right of all Communities.

Ibid. pag. 240. None pretend to impose a Conductor or Director, on another in Temporal Affairs, but every one is left to manage them, as he thinks best for his own Interest, as being presumed to understand it better than another; and therefore is to chuse his own Lawyer, Physician, Brewer, Baker, &c. and by the same Reason he ought to chuse his own Spiritual Conductor.

Ibid. pag. 137. It's absurd to imagine every Christian is not capable of such Circumstances, as praying aloud, distributing the Bread and Wine, or (according to the present Mode) of sprinkling an Infant, and repeating a set Form of Words.

Ibid. pag. 402. Have they not inserted this Power of theirs in an Article of the Creed, commonly called the Apostles, viz. *I believe the Catholick Church?*

Mr. Dee. We shall next offer the Review:

Vol. 2. N. 112. Clerk reads.] Whether our Fathers had a Necessity to make those exclusive Laws, and impose as necessary their indifferent Things, acknowledged to be so, as Terms of Communion: Nor is this all, but supposing they had; which nevertheless I do not grant; then this Address is further press'd to your Lordships, to examine whether that Necessity does yet continue, or no? Either of which will be the same Thing. For if there either was not a Necessity at the Time of their Enacting, or that Necessity does not yet remain, let which will happen to fall out, the Act of Uniformity, imposing such and such indifferent Things, as Terms of Communion, will appear scandalous to the Church, Injurious to the publick Peace, and a Grievance to the whole Nation.

Ibid. Vol. 3. Numb. 27. *Left it become a new, proverbial Jest, To be as wicked as an English Priest.* p. 106.

Ibid. Numb. 27. p. 107. I cannot but tell him, should I publish the Matters of Fact which I am Master of, with respect to the High-flying Gentlemen of the Clergy; should I give a faithful Account of the most infamous and scandalous Behaviour, the Notorious Lives, the Beastly Excesses, and the furious Treatment of their Brethren the Dissenters, which on a small Search I have been ac-

quainted with; the Inferior Clergy of his Party would appear the most wretched, provoking, abominable Crew, that ever God suffered to live unpunish'd, since he destroyed *Sodom* and *Gomorrab* by Fire from Heaven.

If Words could be made Treason, one third at least of the Inferior Clergy in *England* would be hang'd. *Ibid. Vol. 2. Numb. 105. p. 418.*

I again appeal to you, Gentlemen, Whether, generally speaking, all over this unhappy Nation, the Clergy are not Three Parts in Five, in a close Conjunction with the Enemies of the Church's Peace, and the profess'd Enemies of the Government?

Others, not so directly, but altogether as fatally, and tending to the same End, with subtle Designs to divide and amuse the People, by Preaching, Writing, and Print-

ing, endeavour to revive the said exploded Doctrines of Non-Resistance, and absolute uncondition'd Obedience, as things the People of *England* ought to think themselves oblig'd by; which tho' in themselves of no force, yet manifestly tend to unravel the Constitution, to invalidate the Queen's Title to the Crown, and destroy the legal Authority of Parliaments in the Nation. An eminent Proof of which is now depending before the House.

Drunkeness, Oaths, and abominable Lewdness; Ignorance, Negligence, and scandalous Insufficiency; abhor'd Error, Deism and Socinianism, have over-run the Clergy.

You know the Church he means is High-Church, which is a Fiction, a Church of the Brain, supported by a little, insignificant, trifling Number of Brainless People; and the People of *England* are no more concern'd about that Church, than about the Institutions of Government laid down in *Moor's Utopia*, *Harrington's Oceana*, or *Bacon's New Atlantis*; and all the Canons, Rites, and Ceremonies of that Church are no more to be consider'd by you, or me, than so many Ballads, or *Duck-Lane* Penny Histories.

The Universities have large Endowments, which I fancy may be better employ'd for the publick Good than at present. Let you and I Vote them useless.

Country-M. With all my heart, Master.

Mr. Dodd. My Lords, The next Thing we should go upon, is to shew several Passages which reflect upon the Queen, the State, and Ministry; there are Five or Six Instances which we shall read, and then we shall have done.

Clerk reads.] In short, if *Jure Divino* comes upon the Stage, the Queen has no more Title to the Crown than my Lord-Mayor's Horse: All the People are bound by the Laws of God to depose Her as an Usurper, and restore their Rightful and Lawful King *James* the Third.

The Line of all the World famed for Blood, and that had ravag'd the best Families of the Kingdom. *Ibid. Vol. 3. Numb. 122. p. 486.*

Ever

- ' Ever since the coming of King
Ibid. Vol. 2. ' *James* the First to the Crown,
Numb. 43. ' this Nation has been perplexed
p. 170. ' with Divisions, Uneasinesses, Op-
 ' pressions and Murmurings, both
 ' in Sovereign and Subject.
 ' Either the Dissenters had Rea-
Ibid. Numb. ' son for former Discontents, and
44. p. 174. ' Reason to complain of Oppressi-
 ' on, Persecution, and Infringement
 ' of Privileges, or they had not. If they had;
 ' the Church was cruel, and the State unjust before,
 ' in laying those Loads upon them. If they had
 ' not, both Church and State were infatuated and
 ' delirious, in granting them the Toleration, and
 ' Liberties since conceded.
 ' If the next Parliament should
Ibid. Numb. ' pursue the Steps of the last, the
46. p. 181. ' Nation, in my Opinion, will be
 ' so much nearer that Crisis of
 ' Time, when *English* Liberty being brought to the
 ' last Extremity, must open the Magazine of Origin-
 ' al Power.
 ' What can be said for Members
Ibid. Numb. ' sitting in the House to do no-
27. p. 106. ' thing; making long Speeches with-
 ' out Meaning, and Voting Bills
 ' without Design to have 'em pass?
 ' The Balance between 41 and
Ibid. Numb. ' 88 will appear to run against
123. p. 489. ' him; and the Difference between
 ' the dry Martyrdom of King
 ' *James*, by his Passive-Obedience Church-Subjects,
 ' and the wet Martyrdom of King *Charles* the First,
 ' by People that never made any such Pretence, will
 ' appear so small, that it's not worth Dr. *D*—'s
 ' while to meddle with it.
 Observator, ' *Country-M.* Pray, Sir, are
Vol. 2. Numb. ' there a great many of those People
89. ' alive, that cut off the Head of
 ' King *Charles* the First?
 ' *Obs.* No, no; they are dead and gone a
 ' long time ago. However, the Story serves some
 ' Men as Raw-head and Bloody-bones, to affrighten
 ' some, and calumniate others. Now, for my part,
 ' I know nothing of the Business of King *Charles* I.
 ' I was born since the Restoration; and I have so
 ' high a Value for the Prudence and Justice of our
 ' Forefathers, as not to condemn any of their Actions
 ' for the common Good. We are unkind to our
 ' selves in censuring the Justice of our Forefathers
 ' Actions, and thereby do give a Handle to our
 ' Successors to censure ours. Did our Forefathers
 ' detruncate the Father? Did not we depose the
 ' Son, and put one more Righteous in his stead?
 ' Did we not divest him of all his Regalities, and
 ' make him a Fugitive on the Earth? And may not
 ' future Ages examine the Difference between the
 ' Decollation and the Abdication?
 ' I recite this, to let you know
Ib. Vol. 4. ' the Encouragement the Papists
Numb. 97. ' have had in this Reign; when by
 ' their Interest they can get such as
 ' write against them prosecuted, &c.
 ' Should I tell you, honest Coun-
Ibid. ' tryman, the Accounts I have had
 ' of the Numbers of Popish Priests
 ' and Emiffaries come into *England* the first Two
 ' Years of Her Majesty's Reign, it would make
 ' your Hair stand an end.
 ' They would have but a sorry
 ' Foot Soldier of the *Observer*. *Ibid. Vol. 3.*
 ' ———And yet I have been where *Numb. 15.*
 ' those People that would send me
 ' durst not come, and where perhaps I have com-
 ' manded better Men than themselves. It has been
 ' my Fortune to be in a fighting Army, under a
 ' General that we now dearly want who did not
 ' use to return from the War, *sine Clade Victor*,
 ' and then ride in Triumph over his Queen on a
 ' Medal.
 ' I am sorry that the Folly of
 ' some, and the Bribery of others, *Ibid. Vol. 3.*
 ' have brought us into such ama- *Numb. 99.*
 ' zing and dismal Circumstances,
 ' that either our Liberties must be lost, or be main-
 ' tained by a Body that is neither of us, nor from
 ' us.
 ' I shall produce my self as an
 ' Example of the Arbitrary Power *Ibid.*
 ' of this Parliament; and the Man
 ' that does not acknowledge their Proceedings against
 ' me to be Arbitrary, must assert, that an Arbitrary
 ' Power was never executed.
 ' Now if this ben't Arbitrary,
 ' I don't know what to call so. *Ibid.*
 ' The *Spanish* Inquisitors have so
 ' much Regard to Justice, or the shew of it at
 ' least, that they'll suffer a Man to speak in his own
 ' Behalf, &c.——Now, Countryman, do but con-
 ' sider my Case; I was sentenc'd to the Loss of my
 ' Liberty without being heard.
 ' Which plainly shews, that what
 ' the Commons condemn'd me for, *Ibid.*
 ' would not bear an Action at
 ' Law.
 ' My Intent is to inform such
 ' as you, honest *Roger*, how much *Ibid.*
 ' you have been abus'd by your Re-
 ' presentatives.
 ' This Parliament is the very Re-
 ' verse of former Parliaments; as *Ibid.*
 ' they were merciful, this was cruel;
 ' as they made good and wholesome Laws to pre-
 ' serve the Liberties of their Electors, these took
 ' away the Freedom of their Electors without any
 ' Law; as they used all Means to keep their E-
 ' lectors out of Jail, these used all Means to put 'em
 ' into Jail.
 ' *Obs.* Honest Countryman, what
 ' wouldst thou have me to do? If *Ibid. Vol. 2.*
 ' I must run thro' all the List of *Numb. 99.*
 ' Knaves, I must bring in all the
 ' Courts, all the Employments, all the Classes of
 ' Publick Affairs in the Nation.
 ' I really find the State of *Eng-*
 ' *land* in general to be thus: Its *Review,*
 ' Trade under a sensible, miserable *Vol. 2. Numb.*
 ' Decay in all its Branches:——Its *2. p. 5.*
 ' Navy great and flourishing; but
 ' all her well-laid Designs either defeated in their
 ' Preparations, by the miserable Methods, and ill
 ' Government, with relation to Seamen, or disap-
 ' pointed by the ill Conduct or Cowardice of her
 ' Commanders. In Civil Concerns, in the utmost
 ' Confusion of Parties——blending together the
 ' most absurd Contradictions, such as propagating
 ' Religion by a scandalous Ministry,——reform-
 ' ing Manners by debauched Magistrates, and chu-
 ' sing Men to make Laws, by Bribery and Corrup-
 ' tion.

Mr. Phipps. My Lords, we shall offer but one Passage more, and that is out of *The Divine Rights of the British Nation vindicated*.

Clerk reads.] ' And if he will
Page 105. ' but stay till the end of this pre-
' sent Session of Parliament, he'll
' find several new Powers annex'd to the Regal Of-
' fice, and perhaps some made void and repealed for
' the Publick Good.

Mr. Dodd. My Lords, we have now done with our Proofs; we have gone over the Heads of Blasphemy, Irreligion and Heresy; the Church reflected on; the Queen, Ministry, and all Orders of Men reflected upon and abused. We have cited these Books and Passages, not to reflect on the Government, but as those which put the Doctor in some Heat and Concern both for the Church and State; and we hope your Lordships will make the best Construction of the Doctor's Intentions in this Matter.

Mr. Phipps. If Blasphemy and Irreligion can endanger the Church; if Treason and Rebellion can endanger the Nation, I think, with great Submission, the Doctor has made good his Answer; and therefore I hope he is not guilty of any Part of this Article.

Mr. Dee. My Lords, I beg leave that we may apply some Part of the Proofs we have read to-day to the Fourth Article.

Mr. Phipps. My Lords, The other Article, I fear, will be longer than will be fit to trouble your Lordships with now; we shall be ready to proceed when it is your Lordships Pleasure.

Then the LORDS Adjourned to their House Above.

Tuesday, March 7. The Eighth Day.

THE Lords coming down into *Westminster-Hall*, and being seated in the manner before-mentioned, Proclamation was made by the Serjeant at Arms as follows:

Our Sovereign Lady the Queen doth strictly Charge and Command all manner of Persons to keep Silence, upon Pain of Imprisonment.

Then another Proclamation was made: *Henry Sacheverell*, Doctor in Divinity, come forth, save thee and thy Bail, else thou forfeitest thy Recognizance.

The Doctor appearing at the Bar accordingly; with his Council, as before:

Lord Chancellor. Gentlemen, you that are Council for the Prisoner may proceed in his Defence.

Mr. Dodd. IF your Lordships please, we will proceed to the fourth Article. That Article contains several Heads: 1. *That the Doctor suggests Her Majesty's Administration tends to the Destruction of the Constitution.* 2. *That there are Men of Characters and Stations in Church and State, who are False Brethren, who undermine and betray, and put it in the Power of others to overturn and destroy the Constitution.* 3. *That the Doctor charges her Majesty, and those in Authority under Her, with a general Male-Administration.* 4. *That he persuades the Subjects to keep up a Distinction of Faction and Parties, instils Jealousies, foments Divisions, and stirs up the Subjects to Arms, and perverts several Texts of Scripture.*

My Lords, As to the First, the Doctor is so far from suggesting that her Majesty's Administration tends to the Destruction of the Constitution, that he

has not, as we apprehend, said any thing that can bear such a Construction. The Doctor denies, that he has made any Mention of Her Majesty's Administration in Church or State in his Sermon: Therefore, How can he argue that it tends to the Destruction of the Constitution? It has not been proved. But he takes all Opportunities to speak of the Blessings we enjoy under her Majesty's Government; prays for Her Preservation; and that She may long Reign for the Comfort and Support of the Church; professes what he spoke proceeded from a tender Concern for Her Majesty and Her Government: So that we humbly apprehend there was little Occasion for such a Charge against him.

The Second Part of the Article is, *That there are False Brethren, that are Men of Character and Station in Church and State, who undermine and betray, and put it in the Power of others to overturn and destroy the Constitution.* Now the false Brethren by him described, are Persons who propogate false Doctrines, who give up the Discipline and Worship of the Church, who are for Neutrality in Religion, or who wish well to the Church, but do not shew their Zeal in obeying her Precepts, and defending her Rights. These are the False Brethren intended; and this is very different from the Allegation in the Impeachment. As to that Part of the Charge, of *putting it in the Power of others to destroy the Constitution*, he does not mention Men of Characters and Stations in this Place; but, as I take it, in *Pag. 15.* where this Passage is supposed to be contained; and yet it is Twelve Pages after, before these Words are mentioned: They are not joined together, as is supposed by the Article; and speak nothing of that Matter. It is a Conjunction of Passages widely different from, and not relating to one another. The Betrayers of the Constitution, to whom the Doctor does refer, are such as by Writing endeavour to subvert the Foundation of our Church and State; such as are of a Latitudinarian Principle, *who neither believe her Faith, own her Mission, submit to her Discipline, or comply with her Liturgy.* My Lords, These are the Heads, and Persons; that the Doctor refers to; and not such Persons or Things, as are pretended by the Article.

As to a General Male-Administration under Her Majesty, he abhors the Charge; has no where said it: Always, as a good Subject, mentioned Her Majesty with the profoundest Duty and Respect; nor does he tax any in Authority with a Male-Administration. And surely it is not sufficient to charge the Doctor, as if he had fallen foul on the Ministry, when there is no Proof of it, and when there is no Passage in his Sermon, as we apprehend, that tends to it. The Doctor has on all Occasions, as a good Subject, justified her Majesty's Title; and particularly at the Beginning of this War, he preach'd a Sermon at *Oxford*, before the University, therein justifying Her Majesty's Title to the Crown, and Her entering into the War against *France* and *Spain*, wherein he has very clearly demonstrated these Two Points. And as to the Charge of endeavouring to keep up Distinction of Parties, he is so far from it, that he complains of those that have divided us with a Distinction of High and Low Churchmen; *They have villanously divided us with knavish Distinctions:* And what could he mean by all this, but a Service to the Government; and that they which raise such false Insinuations, such Fears and Jealousies, are the People he intended, and complains of?

And

And as he has done that, so he takes all Opportunities to pray, *that we may be one Fold under one Shepherd*, and that all invidious Distinctions might be laid aside.

My Lords, The next Thing is, The raising these groundless Fears and Jealousies, that are suggested. As to that, the Passage we read before is quite opposite: The Doctor rebukes them, that do it as ill Christians, and ill Subjects; and earnestly sets forth the Mischief of them. He is so far from encouraging it, that he has upon several Occasions severely censured it. And as to stirring up Her Majesty's Subjects to Arms and Violence, he abhors it, and throughout his Sermon asserts the Doctrine of Non-Resistance; which is quite contrary to this Part of the Charge, altho' he conceives it to be the Ground of the Impeachment. Sure there is not any one Passage, that tends to excite the Subjects to Arms, in his Sermons.

My Lords, There was Notice taken of a Passage (that has little in it) exciting Christians to *put on the whole Armour of God*: But sure that is distinguished from the Arms of Flesh and Blood: It cannot be so misinterpreted, as to be understood of any Earthly Power whatsoever; for as it is in the Scripture, so it is in the Doctor's Sermon, *the whole Armour of God; Patience, Submission, &c.* This is the Armour he excites Christians to put on; nothing of fleshly Arms.

As to the Charge of perverting several Texts of Scripture, to make ill Impressions on the People; he denies it, and had no ill Impression to make on any Person whatsoever: His Work was to do good, and make good and religious Impressions on his Hearers. But he thinks it hard, when he cites Texts of Scripture against Vice and Immorality, by a Construction in Prejudice of the Preacher, those Texts should be said to be applied to particular Persons. The Story of the Prophet, in the Second Book of *Kings*, Chap. vi. as printed in the Doctor's Sermon, is mistaken; but the Two Reflections made upon it, are very unnatural, and not credible. The first Inference was, That he had it by Hearsay, and that he had not read it. Sure your Lordships cannot think, but that he, that is a Doctor of Divinity, has read every Chapter in the Bible: He, that has been a Student in the University of Twenty Years standing, and more, and constantly keeping to the Church, certainly none can think but he has read the Bible. But then it is turn'd the other way upon him; That, taking it to be so, then he represents himself to be the Prophet that could see the Danger, and makes the Lords and Commons the People that were blind.

My Lords, This, I suppose, was intended to be wittily said; but if it be seriously (and without Raillery) considered, there is no Wit or Sense in it. He mentions not the Lords and Commons at all: But it is true, he, as a Preacher, warns the People to have their Eyes open, to see the Dangers of Sin and Vice; so that we apprehend, there is no Ground, from that Passage, to charge the Doctor with corrupting the Scripture.

My Lords, The next Text that is quoted against the Doctor upon this Head, is, *Blow the Trumpet in Zion; sound an Alarm.* Now it is urged by the Gentlemen Managers, That this can be for nothing but for War; and this (it's pretended) was only to be done in Time of War, when the Priests with the Silver Trumpets were to sound in Battle. But, my Lords, this cannot have that Construction; for whoever looks into the Scripture, particularly into the

Prophet *Joel*, and other Places, (where that Expression is used) will find it to proclaim a Fast: They were to blow the Trumpet, to signify the Generality, and that all should take notice of it. The Allusion is carried by an Elegancy to the Trumpet, to shew the Generality of it, and that all the People should humble themselves before the Lord. Now, to make this Sedition, to infer it to be to excite the People to War and Rebellion, is not right Reasoning, nor is there the least Colour for it.

Another Quotation he makes is much pressed upon the Doctor, where speaking of the Church, he cites that Passage out of the *Lamentations: Her Adversaries are chief, and her Enemies at present prosper.* This is press'd upon us, as if the Doctor had an Eye in it on the Ministry. But this, we think, is straining the Words beyond their Sense or Meaning: For, first, he does not say her Adversaries are the chiefest, but in the lowest Degree of Comparison, her Adversaries are chief; that is, that amongst her Adversaries there are some considerable Persons, some Men of Estates and Figure. And this, I think, appeared Yesterday in Pamphlets that were read, some whereof are supposed to be wrote by no mean Persons; the Doctor cites the Words of Scripture, and we think it can have no ill Construction. As to the second Part of the Expression, *Her Enemies at present prosper*, they are the Words of the Prophet; and how true in the present Case, we must submit to your Lordships, upon what has been already offered, whether any ill Construction can, or ought to be made of them. Neither the first nor second Part of these Words are determined to any particular Persons; we cite the Words themselves; they are not determined to any Person whatsoever; and so we hope no Offence can be taken at them, nor any such Inference drawn from them, as hath been endeavoured to be represented to your Lordships. The Doctor declares in his Sermon, as we formerly mentioned, and read to your Lordships, that he hoped what he had spoken would be without any Offence, as it proceeded from an honest and good Intention, and a tender Concern for Her Majesty's Person and Government, and an hearty Zeal for the Honour and Safety of our excellent Church and Constitution: And so we hope your Lordships will construe and intend it. And so we submit this Article, and the Doctor's Defence, with all Humility, to your Lordships. We shall read no more than two or three Proclamations: The first is against Vice and Immorality, and to stir up Magistrates to take care to execute the Laws. A second takes Notice that Her Majesty's Commands had not been obeyed nor the Laws executed to suppress Vice, and commands the Magistrates to be careful to do their Duty herein: And, thirdly, a Direction that this Proclamation shall be read to the People out of the Desk. And sure the reading them there, and preaching them, or the Subject Matter of them in the Pulpit, are consistent together.

Mr. Phipps. **M**Y Lords, We are now humbly to offer to your Lordships Consideration, our Answer to the fourth and last Article of the Impeachment, to which we think there is no Necessity of giving any Answer, because we humbly apprehend there is not any Offence charg'd upon the Doctor in that Article; for the Article saith, that *the Doctor doth falsely and maliciously suggest*, &c. Now to suggest can amount to no more than to insinuate, and is far short of an Averment

or Assertion; and whether a bare Suggestion or Insinuation can be a sufficient Foundation to ground an Impeachment, is humbly submitted to your Lordships. But since 'tis made an Article against the Doctor, we humbly hope we shall give as full an Answer to the Suggestions and Insinuations contain'd in that Article, as we have to the Offences charged in either of the other Articles.

The first Part of the Article saith, *That the Doctor doth falsely and maliciously suggest that Her Majesty's Administration, both in Ecclesiastical and Civil Affairs, tends to the Destruction of the Constitution.* In answer to which 'tis humbly offered, that the Doctor doth not any where mention Her Majesty's Administration, either in Ecclesiastical or Civil Affairs. He esteems it one of the greatest Blessings and Deliverances, *That her Majesty now happily sits on the Throne of Her Ancestors*; he prays, *that God would long preserve Her, for the Comfort and Support of the Church*; he professeth, *That what he speaks proceeded from a tender Concern for Her Majesty and Her Government, and an hearty Zeal for the Honour and Safety of our excellent Church and Constitution*; he solemnly declares, *That his only Aim and Intention was earnestly to contend for the Safety, Rights and Establishment of her Majesty, together with those of the Church.* And how after all this it can be inferred, he suggests that her Majesty's Administration, in Ecclesiastical and Civil Affairs, tends to the Destruction of the Constitution, I cannot imagine. I humbly submit, whether such a Charge can be inferr'd from his Sermons, without carrying Innuendo's farther than ever hath been attempted.

As for that Part of the Fourth Article, which chargeth, that *the Doctor doth suggest that there are Men of Characters and Stations in the Church and State, which do themselves weaken, undermine and betray, and do encourage and put it into the Power of others, who are professed Enemies, to overturn and destroy the Constitution and Establishment*: The Doctor denies he suggesteth any such things concerning Men of Characters and Stations.

I can't but observe what Art hath been used to make up this Article, and I do not doubt but your Lordships will be of that Opinion; for the Doctor in Page 22, mentions Men of Characters and Stations, but does not mention Men of Character and Station in Church or State; but says, *there are Men of Character and Stations that shift and prevaricate with their Principles, and start from their Religion upon any Occasion of Difficulty.* Which is a Charge upon them in their private Capacity, and does not charge them with any Misbehaviour in their Stations, or in any thing relating to the Publick Administration; nor does he mention in that Place their weakening, undermining and betraying, or the encouraging or putting it in the Power of our profess'd Enemies to overturn and destroy the Constitution and Establishment.

And in Page 15, where he mentions *the weakning, undermining and betraying in themselves, and the encouraging and putting it in the Power of our professed Enemies to overturn and destroy the Constitution and Establishment of both*: There he does not mention Men of Character and Station, but chargeth the weakning, &c. on the False Brethren in Church and State; so that he thinks it very hard that a Part of one Sentence in Page 22, should be brought back seven Pages, and coupled with Part of another Sentence, Page 15, and put together as one Sentence, to make an Article of High Crimes and Misdemeanors;

whereas one of the Sentences hath no manner of Relation to, or Dependance upon the other, and neither of the Sentences alone can amount to or be charged as a High Crime and Misdemeanor.

By this Method they might have charged him with High Treason; or any other Crime. Nay; my Lords, by this transposing and altering of Sentences, by taking a Part of one Sentence and coupling it with Part of another, they may make the Scripture it self speak Blasphemy.

But suppose it had been one entire Sentence, had this been a Ground for an Impeachment? By Men of Characters and Stations, must Men of the highest Characters and Stations be necessarily understood? No, my Lords: Are not inferior Officers, even Constables, Mayors, Justices of the Peace, Officers of the Militia, Deputy-Lieutenants, Officers of the Army, Officers of the Customs, and other Branches of the Revenues, all Men of Station? And are not some of the Stations very good ones? And are not many of the Persons that enjoy them Men of Characters too? And if among all these there may be found some whose Consciences are so tender, that they think it a Sin to communicate with the Church upon any other Account than to qualify themselves for their Offices and Stations; and such who vilify her Orders, calumniate, misrepresent and ridicule her Priests and Professors: Is it a High Crime and Misdemeanor in the Doctor to call such Persons False Brethren, and to suggest that they are Enemies to our Constitution, and that they endeavour to weaken and undermine it? And yet this is all that can be inferr'd from these two Pieces of Sentences put together, to form this Article. And does this bring the least Blemish or Reflection on the Ministry, or those of the Highest Character and Stations in the Church? By no means: For the Ministry presumes that Men in those inferior Stations are well-affected to our Constitution, when they qualify themselves according to Law, by taking the Sacrament and Oaths; and if any of them are not so, it cannot be presumed to fall under the Notice of the Ministry: And in many Cases, if they did know it, yet it would not be in their Power to redress it. I remember one Instance, in an eminent Borough in this Kingdom. It was proved, at the Hearing of an Election for that Borough, that the Mayor declared that no Person should be admitted into the Corporation and qualified to Vote for Members of Parliament, but such as were Dissenters from the *Test*; so that there may be Mayor, Aldermen, and the whole Corporation who may take the Sacrament in the Church of *England*, and the Oaths, and yet every one Dissenters: And they may elect Persons into much higher Stations, if they please, which are equally disaffected to our Church, and it is not in the Power of her Majesty or the Ministry to help it. And when there are such found among us, whether the Doctor, when he chargeth them for being False Brethren, can be said to reflect on the Ministry, can be said to be guilty of High Crimes and Misdemeanors, I submit to your Lordships.

The Learned Gentleman who spoke first to this Article, seem'd to allow that Men of the highest Characters and Stations were not intended; but he objected, that to charge the inferior Magistrates with a Neglect of their Duty, is charging the Government with Male-Administration; in which I cannot concur with him. But as this Case is, I take it to be plain, that to charge inferior Officers or Magistrates with a Neglect of their Duty, can-

not reflect on Her Majesty's Administration; for there are Magistrates which Her Majesty cannot remove; there are Neglects which Her Majesty or Her Ministry cannot be presumed to know, as I before mention'd. And to set this in a true Light, and to give a full Answer to this Objection, we have Her Majesty's Authority to vindicate the Doctor in this Point; for Her Majesty chargeth the Magistrates with a Neglect of their Duty, and carrieth the Charge higher than can be infer'd from the Doctor's Sermon, I mean the several Proclamations that have been issued by Her Majesty, by the Advice of her Privy-Council (which are Her Ministry) for suppressing Profaneness and Immorality. Those Proclamations take Notice of the several Acts of Parliament against Profaneness and Immorality, and charge the inferior Magistrates with a Neglect of their Duty, in not putting those Laws in Execution. And is it an Offence for the Doctor to mention that in his Pulpit, which hath been so often repeated by her Majesty under Her Great Seal?

It has been objected, That the Doctor, speaking of the Church, says, That *Her Adversaries are Chief*. This is a Quotation out of Scripture, which signifies that they are Mighty; but that this reflects on the Ministry, or Her Majesty's Administration, I cannot apprehend.

But it is also objected that the Doctor, Page 5, saith, *That the Communion of the Church hath been rent and divided by Faction and Schismatical Impostors, &c.* Is the saying this is done with Impunity, a Reflection on the Administration? That Blasphemy, Atheism and Profaneness have been justify'd in Print; that the Worship and Discipline of the Church hath been profaned and abused, her Orders denied and vilified, her Priests and Professors calumniated, misrepresented and ridiculed; that Trumpets have been sounded to Rebellion; that Her Majesty and Her whole Administration have been reflected on, I think was sufficiently proved to your Lordships Yesterday; and that it hath been done with Impunity hitherto, I believe will not be denied, for I have not heard that any of these bold Offenders have yet been punish'd; and that the inferior Magistrates have neglected their Duty in that respect, we have Her Majesty's Authority for it. But that this is a Reflection on Her Majesty, or Her Ministry, is totally denied; for the Execution of the Laws against such Offenders is within the Province of inferior Magistrates; and God forbid that the Faults of inferior Magistrates should be charged upon her Majesty. The several Proclamations issued out by Her Majesty, by the Advice of Her Privy-Council, shew, Her Majesty and Her Ministry have done all that in them lies to suppress Blasphemy, Profaneness, and other Vices; and that the Fault and Neglect lies entirely at the Door of the inferior Magistrates: And this sufficiently answers the Objection, that what is charged upon inferior Magistrates cannot reflect on Her Majesty, or Her Ministry. And this is also a full Answer to that Part of the Fourth Article, which accuseth the Doctor with charging Her Majesty, and those in Authority, both in Church and State, with a general Male-Administration; to which I would only add what the Doctor hath said in his Answer to this Article, *viz.* "That he abhors the Thoughts of bringing
" any Charge against Her Sacred Majesty, whom he
" never mentions but in Terms of the profoundest
" Duty and Respect; that he doth not charge those
" in Authority with any Male-Administration; that
" he doth not so much as mention the Word Male-

Administration, nor any other Word Synonymous
" with it, or from whence it can be infer'd, or in
" which it is or can be imply'd.

As to such Part of the Fourth Article, which chargeth, that *the Doctor, as a publick Incendiary, persuades her Majesty's Subjects to keep up a Distinction of Factions and Parties*; he invites the Dissenters to leave their Schism, and come sincerely into the Church: He complains of those who have villainously divided us with the knavish Distinctions of High and Low Church. He wisheth we were all one Fold under one Shepherd; and that all those invidious Distinctions, that distract and confound us, were lost.

If wishing that People would leave their Schism, and come sincerely into the Church; that we were all one Fold under one Shepherd, makes a Man a publick Incendiary; if blackning those that divide us with knavish Distinctions with the Character of Villainous; and wishing that all those invidious Distinctions which distract and confound us were lost, be to keep up Distinctions of Factions and Parties, the Doctor is Guilty; but if not, then he conceives there is nothing in his Sermons which can be a Foundation for the Charge in this Branch of the Fourth Article.

But it hath been objected, That tho' the Doctor invites the Dissenters to come into the Church, yet he invites them upon his own Terms: And I hope, my Lords, they shall never come in upon any other Terms than their conforming to the Doctrine and Discipline of the Church. I hope I shall never see the Constitution of our Church weakened, and her Pales and Fences broken down, to let her Enemies into it.

As to the other Part of the Article, which chargeth the Doctor with instilling groundless Jealousies, and fomenting destructive Divisions among her Majesty's Subjects, there is no Foundation for it; for, on the contrary, he rebukes and condemns those who by false Insinuations, and raising groundless Jealousies and Fears, embroil and bring it into Confusion.

As to that Part of the Fourth Article, which chargeth, That *the Doctor excites and stirs up Her Majesty's Subjects to Arms and Violence*; if Preaching up Passive Obedience be to stir up People to Rebellion; if Preaching up the Illegality of Resistance be to excite Her Majesty's Subjects to take up Arms against Her, I own there is a sufficient Ground in his Sermon for this Charge; but otherwise, there is not one Passage in the Sermon to warrant this Accusation.

I do admit, the Doctor, in the last Page of his Sermon, hath this Exhortation of *St. Paul's Put on the whole Armour of God, that ye may be able to stand against the Wiles of the Devil; for we wrestle not only against Flesh and Blood, but against Principalities, against Powers, against the Rulers of the Darkness of this World, against Spiritual Wickednesses in high Places.* I pray, my Lords, What is it that the Doctor in the Words of *St. Paul* advises his Auditors to resist? Is it not *the Wiles of the Devil*? With what Armour are they to resist? 'Tis with *the Armour of God*. What is the Armour of God? Are Guns, or Swords of Iron or Steel, the Armour of God?

The Learned Manager that spoke to this Point said, the Doctor could not mean the spiritual Armour, because he departed from the Apostle's Spiritual Meaning. And to make good this Charge, he useth the same Method that was taken to make up the first Part of this Article; for the Words cited by the Doctor are in the Eleventh and Twelfth

Verfes of the Sixth Chapter of St. Paul to the *Ephesians*; and to find out the Doctor's Meaning, he goes back to the Thirty-first Verfe of the Fourth Chapter, where St. Paul faith, *Let all Bitternefs, and Wrath, and Anger, and Clamour, and Evil-fpeaking be put away from you, with all Malice.* And why this should be alledged to fhew what the Doctor means, when in the Words of St. Paul he advifeth his Auditors to put on the Armour of God, I cannot imagine. If he had read but two Verfes after thofe Words cited by the Doctor, he would have found the Armour of God to be *The Sword of the Spirit, the Shield of Faith, the Breast-plate of Righteoufnefs, and the Helmet of Salvation*; and the Doctor could mean no other Armour: And how Her Majesty, or thofe in Authority under Her, can be refifted by this Armour, or what Violence Her Majesty's Subjects can ufe with thefe Arms, I fubmit to your Lordfhips. 'Tis plain, that the Principalities, Powers and Rulers here meant, are not Earthly Principalities, Powers and Rulers; but the *Principalities, Powers and Rulers of Darknefs*, againft which Swords and Guns are but a very weak and feeble Defence. Thefe Things being confider'd, I think there is nothing to be collected from this Paragraph, that can excite Her Majesty's Subjects to Arms and Violence; unlefs it be, to *take the Armour of God, to refift the Devil and all his Works*; which, I hope, is not a High Crime and Misdemeanor.

As a further Evidence that the Doctor excites Her Majesty's Subjects to Arms and Rebellion, it is objected, That the Doctor, in his Sermon, *Pag. 26.* fays, *Let us therefore, being well affur'd how much our Cause deferves, and how much at prefent it requires our bravest Refolutions, hold faft our Integrity and Religion without wavering, and earnestly contend for the Faith which was once deliver'd to the Saints.* And is not this wholesome and religious Advice? The more ftrongly and openly the Cause is oppugned, the braver Refolution it requires to defend it. The Cause of Religion is attack'd by Atheifts and Deifts; the Cause of Monarchy, by Affertors of Republican and Seditious Principles; the Cause of the Church, by Papifts and Sectaries of all forts; and therefore it requires our bravest Refolutions to defend the Church, the Queen, and the Conftitution, with the fame Zeal they are attack'd, as the Doctor explains himfelf; *Not doubting, if we fhew the fame Courage, and indefatigable Zeal and Labour to defend, as our Adverfaries to reproach, divide and ruin our Church; neither their united Malice nor Power, nor all the Plots and Machinations of Rome, nor the very Gates of Hell it felf, fhall ever be able to prevail againft Her.* And fhall this be conftrued to excite Her Majesty's Subjects to Arms and Violence?

As to the laft Part of the Article, which chargeth, That *the Doctor doth wickedly wrest and pervert divers Texts of Holy Scripture*: It feems, the Printer of the Second Edition miftook one Text. If the Doctor had perverted, or wickedly wrested the Text, he muft have been fubject to a Profecution in another Place; but it would not have been a Ground for an Impeachment of High Crimes and Misdemeanors.

To conclude.—My Lords, If condemning the Dethroning and Murdering the Royal Martyr King Charles the Firft, be to caft black and odious Colours on his late Majesty and the Revolution; if the averring the utter Illegality of Refiftance to the Supreme Power in all things lawful; if Preach-

ing the Doctrine of Paffive Obedience and Non-Refiftance, which hath been enjoined by our Church, and confirmed by the Legislature, and is the Doctrine of all Christian Churches, fhall be conftrued to be a Reflection on the Revolution, and a greater Reflection on it now, than the Preaching of the fame Doctrine was in the Reign of his late Majesty, who was the Happy Instrument of that Revolution: If the Doctor be a Criminal for Preaching that Doctrin which the Right Reverend Fathers of our Church, and other Eminent Divines, have preach'd, with the Approbation and Applaufe of the Crown, and both Houfes of Parliament; then the Doctor is guilty of the High Crimes and Misdemeanors in the firft Article.

And if to wifh that Diffenters, who qualify themfelves according to the Act, may enjoy the full Benefit of it; if to defire the Laws to be put in Execution againft fuch who will not comply with the Terms prefcribed by the Act, and againft Atheifts, Deifts, and fuch who frequent no Religious Worfhip at all, and are particularly excepted out of the Act of Toleration; and if to affert, that a Sentence ratified in Heaven cannot be reverfed on Earth, be to affirm the Toleration unreafonable, and the Allowance of it unwarrantable; then the Doctor is alfo guilty of the High Crimes in the Second Article.

And if to affert the Prejudice the Church receives by Schifm and Occafional Conformity; if the fhewing the heavy Judgments which may be brought down upon a Church and Nation, by Blafphemy, Atheifm, Frophanenefs and Immorality; if to fhew the Danger the Queen and Church are in, by the rebellious Principles that are daily broach'd and publifh'd, be to affert the Church is in Danger under Her Majesty's Administration; the Doctor is likewise guilty of the Crimes in the Third Article.

And laftly, If to pray for Her Majesty's long Continuance on the Throne, for the Comfort and Support of the Church and Nation; if to fhew that the Laws againft Atheifm, Blafphemy, Frophanenefs and Irreligion, be not put in due Execution by inferior Magiftrates; that is, if to affert in his Pulpit what Her Majesty, by Advice of her Miniftry, hath afferted in Four Proclamations, be to reflect on Her Majesty and Her Miniftry, and to charge Her Majesty with Male-Administration in Church and State; and if exhorting the People to *put on the Sword of the Spirit, the Shield of Faith, the Breast-plate of Righteoufnefs, and the Helmet of Salvation, to refift the Devil, and all the Powers of Darknefs*, be to excite Her Majesty's Subjects to Arms and Violence againft her Majesty; and if Preaching up Paffive Obedience and Non-Refiftance, is to ftir up People to Rebellion; then the Doctor is guilty of the High Crimes and Misdemeanors in the Fourth Article; efppecially, if ftain'd, foreign and unnatural Inferences, Infnuations and Innuendo's are to pafs for Proof. But otherwife I pre-fume to fay, the Doctor is not guilty of any of the Offences charged in either of the Articles; and I humbly hope, your Lordfhips will be of that Opinion.

Mr. Dee. **M**Y Lords, This Article is fhort of the former Articles, in the manner of the Charge. The firft Part of it is a Charge upon the Doctor, That he *fuggefts only, That Her Majesty's Administration tends to the Deftitution of the Conftitution.* As to this Part of the Article, (as

has been observed) there is no Passage in the Sermon mentioning Her Majesty, but with the greatest Respect, and with hearty Prayers for Her. The Words *Ministers*, and *Ministry*, are not found in the whole Sermon: Therefore, to find any Charge on them by the Doctor, we must look to the Second Part of the Article, which charges the Doctor with suggesting, *That there are Men of Character and Stations, who are False Brethren, and do undermine the Constitution, and endeavour to betray the Church; and consequently charges Her Majesty with a General Male-Administration.*

My Lords, As to this Part of the Charge, viz. That the Doctor doth suggest, that Men of Characters and Stations are Underminers of our Constitution, it is not to be found in any Part of the Sermon: But if he doth suggest, that Men of Characters and Stations (not saying of what Characters, or what Stations) are False Brethren, (if your Lordships take notice what those Men are, whom the Doctor calls False Brethren) it will not be a sufficient Ground for a Charge of High Crimes and Misdemeanors. There are Four Sorts of Persons, that the Doctor charges as False Brethren: Those that propagate False Doctrines; Those that give up the Discipline of the Church; Those that are for a Neutrality in Religion; and Those that own themselves to be of the Church, but live not according to her Rules. Now to say, that there are some Men of Character and Stations in the Nation that are False Brethren, within some one or other of these Descriptions, I wish I could say it was not true. But when the Doctor comes to charge some Persons as Underminers of the Church and Constitution, they are described to be either those Persons that subvert the Fundamentals of Religion, as Atheists, Deists, *Socinians*, and such like; or Occasional Conformists, Persons that creep into the Church, only with a Design to do it a Mischief. And I think these Persons may be justly said to be Underminers of the Church.

My Lords, There is a General Charge against the Doctor, *That he excites the People to Rebellion.* If this could be naturally infer'd from his Words, he must be guilty of Self-Contradiction, and ought rather to be pitied as a weak, foolish Man, than punished as a cunning Incendiary. For when he hath so positively affirmed the utter Illegality of Resistance to the Supreme Power, if any Thing had dropp'd from him in the same Assembly tending to Rebellion; he would have exposed himself to the utmost Ridicule.

My Lords, Some Things have been observed out of the Preface to his Sermon at *St. Paul's*: One Expression is that of sounding a Trumpet. I should not have thought this worth taking notice of, but that some of the Gentlemen did lay some Stress on it, as if this were sounding an Alarm, exciting People to Arms: But I conceive, that the Words out of the Mouth of the Doctor, bear the same Sense as out of the Mouth of the Prophet. But for fear that he should be misconstrued, the Doctor explains himself by the Words immediately following, and shews, that such Prohibition or Restraint laid on the Clergy, as are there suggested, are expressly contrary to the Command of God. His Words are these: *We are told by these Men, who would shut both our Eyes and our Mouths, in order the more effectually to undermine and destroy us, that the Pulpit is not a Place for Politicks; and that it is the Business of a Clergyman to preach Peace, and not sound*

a Trumpet in Sion; so expressly contrary to the Command of God, to cry aloud, and spare not. So that these Words do plainly interpret what the Doctor meant by sounding a Trumpet.

My Lords, There was another Thing taken notice of from this Preface, and that was the Encouragement he gives to People to Arms and Violence, against such as would destroy the Church, &c. The Words of the Doctor are these: *If honest Men will sit still, and give up their Cause through want of Courage, or a just Sense of the dangerous Attempts of our Enemies; we may, without the Spirit of Prophecy, foretel what will become of our Constitution, when it is so vigorously attacked from without, and so lazily defended from within.* This was looked upon as dividing the People, and exciting them to make Resistance. But if the Gentlemen had looked a little before, in the same Paragraph, they would have found who the Assailants he mentions were; and then they would not, I conceive, have blamed the Doctor, for encouraging the People to make a vigorous Defence. The Assailants are those that make rebellious Appeals to the People, as the only Judges of Right and Wrong, and the Dernier Resort of Justice and Dominion: These, he says, are the fashionable Methods now made use of to undermine the Church and Legislature, by breaking in upon the Prerogative of the Crown, by threatening them with imaginary Legions, and a popular Tribunal, where their Authority is to be tried and determined. To put a stop to this Thing, is what he says is the Intent of his Discourse. Now if these are the Persons that attack the Constitution, that appeal to the People as the only Judges of Right and Wrong, if these are the Assailants, surely the Doctor may encourage the People vigorously to defend themselves against them.

My Lords, There was one Thing more taken notice of by the Gentlemen Managers, That the Doctor had given great Offence to the Commons, by an Expression he has made use of, by way of Exclamation, in the Close of his Answer to the Articles; and that runs thus: *Hard is the Lot of the Ministers of the Gospel, if when they cite the Word of God in their General Exhortations to Piety and Virtue, or in their Reproofs of Men's Transgressions, or where they are Lamenting the Difficulties and Conflicts with which the Church of Christ, whilst Militant here on Earth, must always struggle; the several Texts and Passages by them cited, shall be said to have been by them meant of particular Persons and Things, and shall be construed in the most Criminal Sense, and be made by such Construction one Ground of an Impeachment for High Crimes and Misdemeanors.* If this Supposition, as the Doctor has put it, be turned into a Position, he hopes you will pardon him for his Exclamation. If Generals have not been tied to Particulars, to make up these Articles, then the Doctor had no Reason to make this Exclamation: But if the Doctor's Sermon hath been so treated, in order to frame the Articles against him, then he is not blameable for that Expression.

My Lords, The Doctor has never before been charged with Disloyalty to the Government: He hath always been a Man of that Probity, and of so blameless a Life and Conversation, that he hath not been so much as attack'd on that Account. And when a Man of his Character is brought before your Lordships, for a Sermon preached in a publick Congregation, for a Doctrine that is the Doctrine of the Church of *England*, and for which he

has

has the Authority of so many of the Fathers of that Church, as well as of many of her Learned Sons: For him, I say, to be brought before your Lordships (by an Impeachment) on that Account, surely he may be allowed to say this: His Lot (at least) is hard, that he should be made the first, and so solemn Example; when he only followed so many and great Examples, as have been set him from the Beginning of the Reformation down to this Time. And when your Lordships consider the Circumstances of the Doctor, I hope your Lordships will think, that the Defence of this Prosecution, must be a sufficient Punishment for any Crimes he is charged with, and of which he can be supposed guilty: And so I submit him, and his Cause, to your Lordships Justice.

Dr. Henchman. **M**Y Lords, In the General Preamble to the Articles of Impeachment, Doctor *Sacheverell* is said to have preached and published Two Discourses, with an *Intention to defame Her Majesty's Administration*; and this last Article contains several particular Charges, of a very high Nature, and great Malignity, against Her Majesty's Happy Administration.

For a General Answer to this Article, I must beg your Lordships Patience, to look back again upon those Passages of this Sermon, which I humbly offer'd to your Lordships Consideration under the Third Article, which will set the Doctor's Intentions in a clear Light. In one of them, he readily acknowledges the great Blessing we at present enjoy, by Her Majesty's happily sitting on the Throne of Her Ancestors: And in the other Places, where he mentions Her Majesty, it is with great Respect, and hearty Addresses to God, long to preserve Her on that Throne; and at last concludes with this solemn Protestation; That what he had then spoken, *proceeded from a good Intention, and tender Concern for Her Majesty's Person and Government, and a hearty Zeal for the Honour and Safety of our Excellent Church and Constitution.*

My Lords, Some Regard is to be had to the Declarations of every honest Man, in relation to his own Thoughts and Intentions, which are known only to God and his own Conscience: And certainly, when a Priest of the Church of *England* does, in the Presence of God, and the Face of the Congregation, solemnly declare, That what he speaks is with a tender Concern, and hearty Zeal for Her Majesty's Person and Government; no loose Words, or distant and unconnected Expressions, ought to be construed to a direct contrary Sense of so express a Declaration. My Lords, The Sense of these Words is plain and obvious to every Man's Understanding: But if a Passage in the Two and Twentieth Page of this Sermon, in it self, and as it stands in its proper Connection, (not Criminal,) must be construed by what is said in the Fifteenth Page, little relating to the same Purposes, and both these Passages explain'd by a Third still farther distant; by such a Method, the most inoffensive Discourse may be made blameable, and it will be very difficult to make any Defence.

My Lords, It has been objected by the Learned Managers, That the Doctor chose an unseasonable Time, and an improper Place, to vent his Notions in. But how does it appear, that either the one or the other was of his own Choice? Does it not rather appear, that he was called to perform that Duty by the publick Magistrate; and that both the

Time and Place were of his Appointment? Or how can it, at this Time, be thought unseasonable, to maintain the Doctrine of our Church, when such Swarms of infamous Libels are daily published in Opposition to it? Or what Place can be more proper for this Purpose, than that in which such Libels usually first appear, and most prevail? Whether the Doctor performed his Duty, by Preaching that Doctrine there, which the Rubrick of our Liturgy expressly commands him to teach on that Day, must be submitted to your Lordships: And certainly it will always be thought proper, on that Day that our Church and State were delivered from a most horrid Conspiracy, to preach against the Sin of Rebellion: Upon that Day that the Whole Nation was delivered from a Popish Conspiracy, it will always be proper to shew, that Resistance of the Higher Powers is the Doctrine of Papists, and first proceeded from them. It is well known to your Lordships, what the General Duty of Ministers obliges them to; but upon State-Days, when they are commanded by Supreme Authority, and directed by the Rubrick, what Subject to treat of; it would be Contempt in them not to obey the Commands of their Superiors, or not to insist upon that Doctrine which they are peculiarly ordered to explain. And I humbly apprehend, that those Reverend Prelates, some of whose Expressions were lately read to your Lordships, would not have received the Thanks of this Honourable House, if they had not adapted their Discourses to the Solemnity of that Day, which they then celebrated.

My Lords, Upon a general View of this and the other Articles, the whole Charge will appear to be supported, not by any one plain Proposition, but by Inferences and suppos'd Constructions. It has been my Endeavour, under every Article, to lay before your Lordships one or more clear Passages of this Sermon, which sufficiently declare the Author's Intention as to that Article; and I must leave it to your Lordships Consideration, how far an Insinuation or Inference will be outweighed by an express Declaration. If there are any Words in this Discourse which seem to bear a doubtful Meaning, your Lordships will in all Cases incline to the most favourable Side; and in this Particular, the Character and Function of a Minister will deserve some more than ordinary Allowance. My Lords, It is a known Rule in the *Roman Law*, *In ambiguis orationibus maxime sententia spectanda est ejus qui eas protulisset.* Where-ever Words are capable of a double Construction, there the Intention of the Speaker is chiefly to be looked after, and attended to. Every Man has a Right to explain his own Intentions; and the darker and more obscure Expressions of his Discourse must be construed by those Passages which are more plain and explicit. This is a Rule in all Civil and common Cases between Man and Man; but in Criminal Cases, there that Law exacts a stricter and a nicer Proof: Where-ever the Life or Liberty of a Citizen is concerned, there the Proofs ought to be *Luce meridiana clariora*, as evident as the Sun at Noon-day, and such as will convince every one at first Sight.

My Lords, I mention these Maxims of the *Roman Law* only as they are agreeable to the common Sense and Understanding of Mankind, as Rules of Reason and Equity, which your Lordships have always governed your selves by, and always will. The last of 'em I mention with the greater Confidence, because I find it has once already received

the Sanction of this honourable House, in Sir *Samuel Bernardiston's* Case; in which it is declared, *That Immuendo's or supposed Constructions ought not to be allowed; for all Accusations should be plain, and the Crimes ascertained.* This, my Lords, has once been the Resolution of this Honourable House, and we humbly hope your Lordships will not depart from a Precedent so well established. My Lords, one Part of this last Article is, That the Doctor has wrested several Texts of Scripture to seditious Purposes; but it has not yet appeared that he ever harboured one seditious Thought: Whether he has perverted any Texts of Scripture will be best explained by himself, when your Lordships shall be pleased to hear him.

Mr. *Dodd.* My Lords, We desire to read two or three Proclamations: The First is to direct the Magistrates to put the Laws in Execution against Prophaneness and Immorality; and that not being duly observed, the Second Proclamation takes notice thereof, and directs the Magistrates to put the same in Execution: And there are two subsequent Proclamations to the same Purpose.

Clerk Reads.] *By the Queen, A Proclamation, for Restraining the Spreading False News, and Printing and Publishing of Irreligious and Seditious Papers and Libels.*

ANNE R.

WHEREAS by an Act of Parliament made in the Third Year of the Reign of King *Edward* the First, It is Enacted, that none be so hardy to tell or publish any false News or Tales, whereby Discord, or Occasion of Discord or Slander may grow between the King and his People, or the great Men of the Realm; and that he that doth so, shall be taken and kept in Prison until he hath brought him into Court which was first Author of the Tale. And by another Act made in the Second Year of the Reign of King *Richard* the Second, it is declared, That the devising, speaking and telling such false News and Tales, was likely to occasion great Peril and Mischief to, and the quick Subversion and Destruction of this Realm: For the preventing whereof, it is thereby Enacted, That none be so hardy to devise, speak or tell any false News, Lyes, or other false Things, of Prelates, Noblemen, and Officers of the Crown therein named, whereof Discord, or any Slander, might arise within this Realm, under the Pain ordained by the said Statute of King *Edward* the First. And by another Act made in the Twelfth Year of the Reign of the said King *Richard* the Second, it is Enacted, That when any such shall be taken and imprisoned, and cannot find him by whom the Speech be moved, that he shall be punished for such his Offence. And whereas the preventing of the spreading and publishing of false News and Tales, and the Writing, Printing and Publishing of Heretical, Blasphemous, Irreligious, Treasonable, Seditious and Scandalous Books, Pamphlets, Libels and Papers, is a Matter which requires our Publick Care, and is of great Concernment; especially considering, that by Reason of the general Licentiousness of the Times, since an Act for preventing Abuses in Printing Seditious, Treasonable and Unlicensed Books and Pamphlets, and for regulating of Printing and Printing-Presses, made in the Thirteenth Year of the Reign of Our late Royal Uncle King *Charles* the Second,

and continued by an Act made in the Fourth Year of the Reign of the late King *William* and Queen *Mary*, expired, many Evil-disposed Persons have Written, Printed and Published divers Heretical, Blasphemous, Irreligious, Treasonable and Seditious Books, Pamphlets, Papers, and many false, infamous and scandalous Libels, and do continue such their unlawful and exorbitant Practices, endeavouring thereby to traduce and reproach the Ecclesiastical and Temporal Government of this Kingdom, and the publick Ministers of the same, and the Proceedings and Members of both Houses of Parliament, and other our loving Subjects, to the high Dishonour of Almighty God, and the endangering the Peace of these Kingdoms, contrary to the said Statutes, and the common Laws of our Realm: We therefore (with the Advice of our Privy-Council) do by this Our Royal Proclamation Charge and Command all our Subjects, of what State or Condition so ever they be, That they do not henceforth presume, either by Writing, Printing or Speaking, to tell or publish any false News or Tales, contrary to the Statutes before-mentioned; nor Write, Print, Publish or Sell, or cause to be Written, Printed, Published or Sold, any Heretical, Blasphemous, Irreligious, Treasonable, or Seditious Books, Papers or Pamphlets, or any scandalous Libels, reflecting upon us, or upon the Ecclesiastical or Temporal Government of this Realm, or any of our publick Ministers or Officers, or on the Proceedings of either of our Houses of Parliament, or any the Members thereof, or upon any other of our loving Subjects. And we do hereby further declare, That we will proceed with the utmost Severity and Rigour of Law, against all such Persons who shall be Guilty of any the malicious and unlawful Practices aforesaid: We being resolved, as much as in us lies, to suppress the said Enormities by a more strict and exemplary Punishment of all such Offenders herein, as shall hereafter be discover'd: To the Discoverers whereof we will give all due Encouragement. And we do hereby straitly charge and command all and singular our Judges, Justices of the Peace, Sheriffs, Mayors, Bailiffs, and all other our Officers and Ministers whatsoever, to take effectual Care for the speedy Apprehension, Prosecution and Punishment of all such Persons, who shall at any Time hereafter be found Offenders herein.

Given at Our Court at Whitehall, the Twenty-sixth Day of March, 1702. In the First Year of Our Reign.

GOD save the QUEEN.

Mr. *Dodd.* Now read the Second. Read the Date first.

Clerk Reads.] *Given at Our Court at St. James's, the Five and Twentieth Day of February, 1702. In the First Year of Our Reign.*

By the Queen, a Proclamation for the Encouragement of Piety and Virtue, and for Preventing and Punishing of Vice, Prophaneness and Immorality.

ANNE R.

WHEREAS on our Accession to the Throne, we thought fit, by the Advice of our Privy-Council, to issue out our Royal Proclamation for the Encouragement of Piety and Virtue, and for the Preventing and Punishing of Vice, Prophaneness and Immorality: And whereas we have been informed, that our Laws mentioned in the said

Proclamation have not been executed according to our just Expectation and Commands: We most seriously and religiously considering, That it is an indispensable Duty on us, to be careful, above all other things, to preserve and advance the Honour and Service of Almighty God, and to discourage and suppress all Vice, Prophaneness, Debauchery and Immorality, which are so highly displeasing to God, so great a Reproach to our Religion and Government, and (by Means of the frequent ill Examples of the Practicers thereof) have so fatal a Tendency to the Corruption of many of our loving Subjects, otherwise religiously and virtuously disposed, and which (if not timely remedied) may justly draw down the divine Vengeance on us and our Kingdoms: We also humbly acknowledging, That we cannot expect the Blessing and Goodness of Almighty God, (by whom Kings and Queens reign, and on which we entirely rely) to make our Reign happy and prosperous to our self and our People, nor hope for the Divine Assistance to deliver us from the great and imminent Dangers which our Kingdoms, and the true Protestant Religion established among us, are in this present Juncture threatned with, without a religious Observance of God's Holy Laws. To the Intent therefore that Religion, Piety, and good Manners may, (according to our most hearty Desire) flourish and increase under our Administration and Government; We have thought fit (by the Advice of our Privy-Council) to issue this our Royal Proclamation; and do hereby declare our Royal Purpose and Resolution to discountenance and punish all manner of Vice, Prophaneness and Immorality in all Persons, of whatsoever Degree or Quality, within this our Realm; and particularly in such as are employed near our Royal Person: And that for the greater Encouragement of Religion and Morality, we will, upon all Occasions, distinguish Persons of Piety and Virtue by Marks of our Royal Favour. And we do expect and require, That all Persons of Honour, or in Place of Authority will give good Example by their own Virtue and Piety, and to their utmost contribute to the discountenancing Persons of dissolute and debauch'd Lives, that they, being by that Means reduced to Shame and Contempt, for their loose and evil Actions and Behaviour, may be thereby also enforced the sooner to reform their ill Habits and Practices, and that the visible Displeasure of good Men towards them, may (as far as it is possible) supply what the Laws (probably) cannot altogether prevent. And we do hereby strictly enjoin and prohibit all our loving Subjects, of what Degree or Quality soever, from playing on the Lord's Day at Dice, Cards, or any other Game whatsoever, either in publick or private Houses, or other Place or Places whatsoever; and do hereby require and command them, and every of them, decently and reverently to attend the Worship of God on every Lord's-Day on Pain of our highest Displeasure, and of being proceeded against with the utmost Rigour that may be by Law. And for the more effectual reforming of all such Persons, who by Reason of their dissolute Lives and Conversations are a Scandal to our Kingdom; our further Pleasure is, and we do hereby strictly charge and command all our Judges, Mayors, Sheriffs, Justices of the Peace, and all other our Officers and Ministers, both Ecclesiastical and Civil, and all other our Subjects, whom it may concern, to be very vigi-

lant and strict in the Discovery, and the effectual Prosecution and Punishment of all Persons who shall be guilty of excessive Drinking, Blasphemy, prophane Swearing and Cursing, Lewdness, Prophanation of the Lord's-Day, or other dissolute, immoral or disorderly Practices; and that they take care also effectually to suppress all Bawdy-Houses, publick Gaming-Houses and Places, and other disorderly Houses; and to put in Execution the Statute made in the nine and twentieth Year of the Reign of our late Royal Uncle King Charles the Second, intituled, *An Act for the better Observation of the Lord's Day, commonly called Sunday*; and also an Act of Parliament made in the ninth Year of the Reign of our late dear Brother King William the Third, intituled, *An Act for the more effectual suppressing of Blasphemy and Prophaneness*; and all other Laws now in Force for the punishing and suppressing any of the Vices aforesaid; and also to suppress and prevent all Gaming whatsoever, in publick or private Houses on the Lord's Day; and likewise, that they take effectual Care to prevent all Persons keeping Taverns, Chocolate-Houses, Coffee Houses, or other Publick Houses whatsoever, from selling Wine, Chocolate, Coffee, Ale, Beer, or other Liquors, or receiving or permitting Guests to be or remain in such their Houses on the Lord's-Day, (except in Case of Necessity and Charity) as they will answer it to Almighty God, upon Pain of our highest Displeasure. And for the more effectual Proceeding herein, we do hereby direct and command all our Judges of Assize and Justices of the Peace, to give strict Charges at their respective Assizes and Sessions, for the due Prosecution and Punishment of all Persons that shall presume to offend in any the Kinds aforesaid; and also of all Persons that contrary to their Duty, shall be remiss or negligent in putting the said Laws in Execution; and that they do at their respective Assizes and Quarter-Sessions of the Peace, cause this our Proclamation to be publickly read in open Court immediately before the Charge is given. And we do hereby further charge and command every Minister in his respective Parish-Church or Chapel, to read or cause to be read this our Proclamation, at least four Times in every Year, immediately after Divine Service, and to incite and stir up their respective Auditories to the Practice of Piety and Virtue, and avoiding of all Immorality and Prophaneness. And to the end that all Vice and Debauchery may be prevented, and Religion and Virtue practised by all Officers, private Soldiers, Mariners, and others, who are employed in our Service by Sea or Land; We do hereby strictly charge and command all our Commanders and Officers whatsoever, That they do take care to avoid all Prophaneness, Debauchery, and other Immoralities; and that by their own good and virtuous Lives and Conversations, they do set good Examples to all such as are under their Care and Authority; and likewise take care of and inspect the Behaviour of all such as are under 'em, and to punish all those who shall be guilty of any the Offences aforesaid, as they will be answerable for the ill Consequences of their Neglect herein,

G O D save the Q U E E N.

Mr. *Dodd*. My Lords, There are two subsequent Proclamations pressing Magistrates to put the Laws in Execution in this Case; but they are to the same Purpose, therefore I think we need not spend your

Lordships

Lordships Time to read them: They are to the same purpose with the last, taking notice that the Magistrates had not done their Duty as required.

My Lords, We have now done our Defence; only we have one Petition to make, That your Lordships would be pleas'd to hear the Doctor speak for himself: There are some things more proper for him to give an Account of, than for his Council. We apprehend the most proper Time will be after the Gentlemen Managers for the House of Commons have replied; but we thought it proper to mention it to your Lordships now, and humbly submit it to your Lordships.

Mr. Phipps. My Lords, The Reason why we troubled your Lordships with reading those Proclamations, was to shew your Lordships, that the inferior Magistrates being negligent of their Duty in putting the Laws in Execution against Prophaneness, her Majesty put out another Proclamation to quicken them to it; therefore when the Doctor charges the Magistrates with a Neglect of their Duty, it cannot be understood to be a Reflection on the Queen or the Ministry, because you see what great Care her Majesty has taken: So that we think this last Article is sufficiently clear'd by these Proclamations. One thing, my Lords, I think we have not troubled your Lordships with, and that is the Journal of your own House in the Case of Sir Samuel Barnardiston: If the Gentlemen of the House of Commons think it otherwise, we are ready to read it.

Sir Joseph Jekyll. My Lords, I have the Commands of the Gentlemen employed in this Service with me, to mention to your Lordships, that they are under a great Surprize, that the Council for the Doctor should take upon them to propose to your Lordships, that the Doctor might speak after the Commons Reply: I have Instructions (since the Doctor's Council have referred some Part of the Defence to himself) to tell the Doctor, that if he has any thing to say for himself, now is his Time before the Commons reply; the Commons claiming it as their Right to speak last.

Mr. Dodd. My Lords, we submit to it. Doctor, go on.

Dr. Sacheverell. **M**Y Lords, The Defence made by my Council has been so full and particular, and the Trial itself drawn out into so great a Length, that I should not add to your Lordships Trouble by saying any thing for my Self, did I not think that in such a Cause as this, (wherein the Doctrine of our Church, the Dignity of that Holy Order to which I belong, and even the Common Interest of Christianity itself, are so nearly concerned) it becomes me not to be altogether silent.

For, my Lords, it has been owned by some of the Managers for the Honourable House of Commons, that tho' I am the Person impeached, yet my Condemnation is not the Thing principally aimed at. I am, it seems, an insignificant Tool of a Party, not worth regarding; the avowed Design of my Impeachment is, by the means of it to procure an Eternal and Indelible Brand of Infamy to be fixed, in a Parliamentary Way, on all those who maintain the Doctrine of Non-Resistance, and to have the Clergy directed what Doctrines they are to preach, and what not. And therefore, as Insignificant as I am in my Self, yet the Consequences of my Trial (if rightly represented to your Lordships by some of those Gentlemen) are of the highest Moment and Importance.

Since I am the unfortunate Occasion of bringing these Matters in Judgment before your Lordships, it will behove me, I think, after what has been pleaded in my behalf, by my Council learned in the Law, to say somewhat also for my Self, in order to clear the Innocence of my Intentions, and remove that Load of Guilt and Infamy, which may be laid upon me, should your Lordships determine, (as, I trust in God, you will not) that the Articles of Impeachment Exhibited, have been made good against me.

With your Lordships Permission then, I shall lay before you some few General Remarks, which in my humble Opinion may be added to what my Council have already observ'd, concerning the Methods taken by the Managers for the Honourable House of Commons, to Prove and Support the Articles of their Charge. And shall then, with your Lordships leave, say somewhat severally to the Articles themselves, which may serve to remind your Lordships of what my Council before offered more at large, and with greater Advantage.

My Lords, The Charge brought against me in these Articles is of a very High, and Heinous Nature; and had it been as clearly made out, as it has been strongly affirmed, it would justly have exposed me to a very severe Sentence. But the more heinous the Charge is, the more evident and undeniable, I should think, the Proof ought to be. And how, my Lords, has this Charge been supported in the several Articles of it? By plain, direct, and express Passages produced, and read to your Lordships out of my Sermons; or by Intendments, unnecessary Implications, and strain'd Constructions? By laying entire Sentences before your Lordships, and relying upon what was manifestly contain'd in them; or by piecing broken Sentences, and conjoining distant and independent Passages, in order to make me speak, what I never thought of?

I am unacquainted, my Lords, with the Methods of legal Proof, and little thought I should have had this Occasion of enquiring into them. But, as far as I am able to comprehend any Thing of this Nature, I should think, that there cannot be a clearer Indication that I am not guilty of having asserted what I am charg'd by the several Articles to have said, than that so many Hours Learning and Eloquence have been employ'd in proving me to have said it. Had I really affirm'd those Propositions for which I am accused, my Sermons being before your Lordships, the Places wherein such Propositions were directly contained might have been referred to, and read, with the same Ease as my Council refer'd to the Passages contained in the several Writings, and Sermons of the Reverend Fathers, and other Eminent Divines of our Church, wherein they Taught the Doctrine of Non-Resistance in the same Extent as I maintained it, or in Terms much stronger.

These Passages produced by my Council, were barely Read to your Lordships: No Argument, no Colours were used, because none were necessary, to prove what Propositions were laid down in those Passages. Whereas, to prove me guilty of having asserted what is laid to my Charge, after my Sermons and Prefaces were read to your Lordships, much Art and Industry were used to persuade your Lordships, that such Assertions were really contained in them.

My Lords, When my Words were capable of Two Senses, the worst and most invidious, though
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at the same Time the most *strained* and *unnatural Construction*, has been always made of them. Nay, when my Words were so *plain* and *express*, that it was *impossible* to put any *criminal Glosses* or *Colours* upon them, I have been accused of *meaning* the *direct contrary* to what I have said: And when I pressed the Duty of *Allegiance to the Queen*, your Lordships were told, that it was most *certain*, I meant the *Pretender*.

To *Aggravate* my Guilt, I have been *accused* not only for what I am *supposed* to have said, but for what I am allowed *not* to have said: Not only for what I have taken notice of in my *Sermons*, but for what I have *passed by unobserved*: I have been charged with *Negative Crimes*; as if what I *omitted* to say, had been *omitted with Design*, and my *Silence* itself were *Criminal*.

These, my Lords, are the *Methods*; that have been made use of to *prove* me guilty of *Crimes*, which if *proved*, might affect my *Liberty* and *Fortune*; no *favourable Allowances* have been made to a *Minister of the Gospel*, discharging the *Duty* of his *Function*, and rebuking *Vice* and *Irreligion* with an *honest* and *well-meant Zeal*, but sometimes perhaps carrying him into *Expressions* too open, and unguarded. I could add, my Lords, if such a *Complaint* might not be thought *improper* from one in my *Circumstances*, that, in the course of my *Accusation*, I have been stiled a *Criminal*, and treated as *such* by some of these *Honourable Gentlemen*, with a *Degree* of *Scorn* and *Indignity*, from which I hoped my *Sacred Profession*, my *present unhappy Condition*, and a *Regard* to this *Solemn* and *Awful Judicature* might have screened me.

But, my Lords, I lay aside all *Complaints* of this *Nature*, and with your Lordships leave shall proceed to make some few, short *Observations* upon the several *Branches* of the *Charge* Exhibited against me.

I am charged, my Lords, in the *first Article*, with having *Maintained*, *That the necessary Means*, used to bring about the *late Happy Revolution*, were *Odious* and *Unjustifiable*; in *Proof* of which it has been urged, that I have in *General Terms* asserted, the *utter Illegality of Resistance to the Supreme Power* upon any *Pretence whatsoever*. My Lords, the *Resistance* in that *Passage* by me *condemned*, is no where by me applied to the *Revolution*; nor is it applicable to the *Case* of the *Revolution*, the *Supreme Power* not being then *resisted*.

My Lords, I neither expressly apply'd my *Doctrine of Non-Resistance* to the *Case* of the *Revolution*, nor had I the least *Thoughts* of including the *Revolution* under my *general Assertion*. I expressed this *Doctrine* in the same *general Terms*, in which I found it deliver'd by the *Apostles of Christ*. I taught it as I had learnt it, from the *Homilies* of our *Church*, and as I was enjoined to teach it, by the *Articles* of our *Religion*. I used no *other Language*, than what had been used by our *first Reformers*, by a continued *Series* of *Right Reverend Prelates*, and other *Celebrated Divines* now with *God*, and by many of those *Venerable Fathers*, before whom I stand, and what is perfectly agreeable to the *Laws* and *Statutes* of this *Realm*. I had *little Reason* to apprehend that I could ever have been accused by the *Gentlemen of the House of Commons* to your Lordships as a *Criminal*, or as an *Asperser of the Memory of the late King*, for preaching this *Doctrine*; when *others*, who preached the same *Doctrine*, in the same *Terms*, before their late *Ma-*

jestics, before our present *Gracious Sovereign*, (whom I pray *God* long to *Preserve*!) before each *House of Parliament*; before this very *House of Commons*, have met with *publick Approbation*: But since it is my *singular Misfortune* to be *Accused*, for what *others* have *received Thanks*, in some *Instances* convey'd to them by several of the *Managers themselves*; I do with all *humble Confidence* rely upon your Lordships *Justice*; not doubting but that the *Learned Judges*, if thought necessary to be consulted, will declare, what I have in this *Case* asserted; to be warranted by *Law*, and the *Right Reverend the Bishops* will affirm it to be the *Doctrine of the Gospel*.

The *Doctrine* I preached being the *Doctrine of the Homilies* of our *Church*, not expressed only in a few particular *Passages* of those *Homilies*, but perfectly agreeable to the *whole Tenor*, the main *Scope* and *Design* of them; and those *Homilies* being established by the *Thirty Nine Articles*, as containing *godly* and *wholesome Doctrine*; and those *Articles* being confirmed by the *13th of Queen Elizabeth*; and that *Statute* being made *Perpetual* and *Fundamental* to our *Constitution* by the *late Act of Union*; I leave it to your Lordships to consider, how far the *Condemnation of me*, on the *Account* of that *Doctrine*, may affect and shake the *present Frame* of the *British Constitution*, in *Church* and *State*, and tend to dissolve the *Union of the two Kingdoms*.

My Lords, Upon the *second Article*, I would humbly pray your Lordships to consider, that I have no where in my *Sermon* shewn any the least *Dislike* of the *Indulgence granted by Law to the Dissenters*; that, on the contrary, I have declared my *Approbation* of it in the *most express Terms* imaginable, which I beg leave once more to repeat to your Lordships out of my *Sermon* preach'd at *St. Paul's*. I would not (I there say) be *misunderstood*, as if I intended to cast the least *invidious Reflection* upon that *Indulgence* which the *Government* hath condescended to give them; which I am sure, all those, who wish well to our *Church*, are ready to grant to *Consciences truly scrupulous*; let them enjoy it in the *full Limits* the *Law* hath prescribed.

My Lords, This then was, and still is my *sincere Opinion*; nor am I conscious that I have uttered *one Word* inconsistent with it. I have indeed *blam'd*, and perhaps with some *Warmth* and *Earnestness* blam'd, the *Abuses* which Men of *no Consciences*, have made, of the *Legal Exemption*, granted to *Consciences truly scrupulous*: Nor could I think that those *Reprehensions* of mine, would have drawn upon me the *Displeasure* of any *sincere Christian*, which were levelled against *Hypocrites*, *Socinians*, *Deists*, and such as, under the *Umbrage* of that *Act*, which permits *Protestant Dissenters*, and those only, to serve *God*, every *Man* in his own *Way*, think themselves at *Liberty* to be of *no Protestant Congregation*, of *no Religion* at all. I will farther ingenuously own to your Lordships, that I had in my *Eye* some *Abuses* made of that *Act* by the *Dissenters themselves*; who, I am told, do (both *Pastors* and *People*) rarely observe the *Qualifications* prescribed by that *Act*; and who erect *Seminaries* for educating *Youth* in *Principles* opposite to the *Doctrine*, *Discipline*, and *Worship* of our *Church*: Whereas that *Act* was intended for the *Ease* of those, whose *Minds* through the *unhappy Prejudices* of *Education*, were already estranged from the *Church*; not, as I humbly conceive, to indulge

Men in taking the most effectual Methods to *Propagate* and *Perpetuate* their *Schism*.

My Lords, Of any Favours to Dissenters granted, or intended by the *Law*, I have no where complained. Of *Toleration*, a Word unknown to our *Laws*, and implying, as I am informed, much more than our *Lawgivers* designed, if I have said any Thing *Offensive*, I may, I hope, reasonably presume, that it will not be judged by your Lordships in any wise to reflect on that *Act of Exemption*, which I have spoken of in Terms, no ways, I think, misbecoming a *good Subject*, or betraying any want of *Christian Moderation*. Nor is there, my Lords, any want of it, I conceive, in affirming that *this Act*, which relieves some Dissenters from *legal Punishments*, to which they were before obnoxious, hath not any ways altered the *Nature of Schism*, or extinguished the *Obligations to Church-Communion*; which is an *Evangelical Duty*, incumbent on all Christians, by the *Rules of the Gospel*, *Antecedent* to all *Secular Laws*, and can by no *human Power* be *Dispensed* with. If the *Church of England*, my Lords, imposes no *unlawful Terms of Communion*, as She certainly does not, then all *Separatists* from her *Communion*, will, notwithstanding the *Indulgence*, continue to be *Guilty of Schism*; The Consequence of which *Guilt*, may still rest upon their *Souls*, however it may cease to Affect their *Bodies* or *Estates*. For as no *human Law* can render that *Lawful* which God hath *forbidden*, so neither can it make that *Void*, which God hath *commanded*.

My Lords, I am accused, under this Head, of maintaining, that *it is the Duty of Superior Pastors to Thunder out their Ecclesiastical Anathema's against Persons entitled to the Benefit of the Toleration*; I hope, it hath evidently appeared to your Lordships, that I advance no such *Position*. Sure I am, that my Words do not in *themselves* carry such a Meaning, nor does the *Connexion* of my Discourse require *that* Sense, or easily admit it. *Schismaticks*, my Lords, are not the *only* Persons against whom *Ecclesiastical Censures* may be denounced; the *Works of Darkness*, which I referred to, *as fit to be reprov'd*, in that Part of my Sermon, where I speak of *these Censures*, are of the same Kind with those mentioned by the *Apostle*, whose Words I produced, all *lewd* and *immoral Practices*; against these, my Lords, and against *Heresies*, and *Blasphemies* (a black Catalogue of which has been display'd before your Lordships) I thought the *Anathema's* of the Church would be well employed; such *Anathema's*, I doubt not, my Lords, would be *ratify'd in Heaven*, and would therefore, by any *Power on Earth*, be *irreversible*.

As to Archbishop *Grindal*, though I may seem to have used some undue *Asperity* of Expression concerning him, yet I charged him with nothing but what I had good Grounds for, from our *Historians*: It hath been made appear to your Lordships, that, on the Account of his *Remissness in Church-Government*, he lived and died under the High Displeasure of Queen *Elizabeth*; and whether therefore he, or *that glorious Queen*, shall bear the Blame of his *Disgrace* and *Sufferings*, is with all *Humility* submitted to your Lordships.

I hope, my Lords, I stand clear in your Opinions, of the Charge advanced against me, in the *two first Articles*; and as my own Conscience acquits, so I trust your Lordships will acquit me, of whatever is laid to my Charge in the *Third*.

My Lords, I neither have suggested, nor do in my Conscience believe, that the *Church is in the*

least Peril or Adversity from Her Majesty's Administration. So far am I from any such Thoughts, that I am entirely satisfied of Her being a most *affectionate Nursing-Mother* to it. But I hope I may say without Offence, that the *Church* may be in *Peril* from *other Causes*, without any Reflection upon Her Majesty's Government, or any Contradiction to Her *Royal Proclamation*, and the *Resolution of both Houses of Parliament*, four Years ago. If the *Church* be in *Danger*, when the *Christian Religion* is evidently so, I hope it will be thought no Crime to say, it has scarce ever been in greater *Danger* than it is now, since Christ had a *Church* upon Earth. For besides that *Deluge of Prophaneness and Immorality*, which overspreads the *whole Kingdom*; besides the *Variety*, and growing *Strength* of those *Schisms* which *weaken* and *divide us*, and of those *Heterodox Opinions*, and *dammable Heresies*, which are daily *published* and *propagated* among us; I verily believe, that never were the *Ministers of Christ* to *abused* and *vilify'd*, never was the *divine Authority* of the *Holy Scriptures* so *arraigned* and *ridiculed*, never were *Infidelity* and *Atheism* it self so *Impudent* and *Barefaced*, never were such *horrid Blasphemies* printed in any *Christian State*, from the *Foundation of Christianity to this Day*.

Out of the many Instances of this Kind, which, being ready at hand, I could have produced to your Lordships, I have *Selected a few* only; but those such, as I am persuaded your Lordships could not hear without Horror and Astonishment. Pardon me, my Lords, if my Apprehension of the sad Consequences we may expect from such *crying Abominations*, have forced from me some Expressions, which upon a *less* Occasion might seem too harsh and vehement. A Man that dreads no *Danger* from such *unparallel'd Iniquities*, that do as it were *call down* God's severest Judgments upon that *poor Church and Nation*, wherein they are *openly* and *daringly* committed, must be *dead* in his *Love* for his *Country*, and *Religion*. If I have disclosed such a *frightful* and *detestable Scene* of *Impiety*, which by reason of your Lordships *high Stations* and *great Employments*, might possibly lie undiscovered to your Sight before; I shall think my self *happy*, whatever shall befall me, if I may by God's Grace become the *mean Instrument*, of putting a Stop to that *overflowing* of *Un-godliness* and *Blasphemy*, which as yet no *Laws*, no *Proclamations*, how well soever *design'd*, and how often soever *repeated*, have been *able to restrain*.

Nor ought I, my Lords, to *forget*, tho' it was *forgotten* by the *honourable Managers*, another *Ground of Danger* arising to *this Church* from the Attempts of *Popish Emissaries*, by me mentioned, I hope without the least Offence, in my Sermon at *St. Paul's*; where I say, *It were highly to be wished that those excellent Laws, made for the Defence and Security of the Church, were at present put strictly in Execution; for the Roman Catholick Agents, and Missionaries, that swarm about this great City, as 'twere in Defiance and Contempt of them, were never more busy in making Profelytes to their Superstition and Idolatry, and perverting and debauching Her Majesty's Subjects in every Corner of our Streets*. I have not, my Lords, been called upon to prove the Truth of *this Passage*, nor has it been reckoned among the *false Insinuations* I have made that the *Church is in Danger*. I pray God, the Church may be in no *Danger*, upon any of these Accounts! Her Majesty, your Lordships, and the *Commons*, have indeed provided against these *Dangers* by *wholesome Laws*, and I hope, I did not exceed the Limits of my

my *Function*, when, being called to Preach before *Magistrates*, I exhorted them to prevent *these Dangers*, by putting *those Laws* strictly in Execution.

Just had been the *Indignation of the Honourable House of Commons*, Just would be your Lordships most severe *Resentments*, if by any *Parallel* by me drawn, I had insinuated that the *Members of both Houses, who passed the Vote concerning the safe and flourishing Condition of the Church, had been then conspiring its Ruin*. I have already purged my self from this *Imputation*, by observing, that the *Parallel*, ascribed to me, implies, that they who Voted *King Charles the First* to be out of *Danger*, and those who *Conspired his Death*, were the very *same Persons*, whereas it is certain they were not; for, my Lords, the *Vote* about the *King's Safety* was passed by *Lords and Commons* a *Year and half* before his execrable Murder, which had been contrived by *the Army*, and was perpetrated by a *pretended Ordinance of a small Remnant of the House of Commons (not a tenth Part of the whole) after the rest of the Members had been Imprisoned or Secluded, and without the Concurrence of the House of Peers, who totally rejected it*. You have had, my Lords, a very *different Representation of this Fact* made by *one of the Learned Managers*: But this, my Lords, is the *real Truth*, as recited in the *Act of Parliament for the Attainder of the King's Murderers*; and is an *Evidence*, that I could not possibly mean by any *odious Parallel* to insinuate, that the *Members of both Houses, who passed the Vote concerning the Safety of the Church, were then conspiring its Ruin*.

I humbly crave your Lordships Patience yet a little farther, whilst I speak to what is alledged in the *Fourth Article*, which charges me with many Crimes of a very *high and flagrant Nature*; none of which have been endeavour'd to be prov'd upon me, otherwise than from *supposed Suggestions, and undetermined Expressions*; and I must still, with your Lordships Leave, humbly *insist* upon it, that where the *Expressions* are *doubtful*, there the *favourable Sense* is always to be *preferred*.

After all that has been said by the *Learned Managers for the Commons*, What Minister of State, I beseech your Lordships, have I been *proved to reflect upon, directly or indirectly? Where, and how* do I, by any *Suggestion*, charge Her Majesty, or *those in Authority under Her, with a general Male-Administration? How* do I persuade Her Subjects to keep up a *Distinction of Parties and Factions*, while I reprove those who *divide us by knavish Distinctions*, and while I persuade my Fellow-Subjects to *lose and forget them? How* is it possible, I should *stir up the People to Arms and Violence*, when I am endeavouring to convince them of the utter *Illegality of Resistance upon any Pretence whatsoever? These Things, my Lords, seem to be Inconsistent*, unless a Man may be thought a *Rebel* for recommending *Loyalty*, or *Seditious* for preaching against *Sedition*.

I remember, indeed, at the Opening of this Charge against me, that *one of the Managers for the House of Commons*, vouchsafed to offer his charitable Assistance towards *Reconciling this seeming Inconsistency*; for he was pleased to *suppose* that, when I spake against *resisting the Sovereign*, I had not our *gracious Queen*, but *some other Person* in view; and that I might therefore agreeably to my *Principles of Non-Resistance*, stir up the People to Arms and Violence against Her Sacred Majesty. Your Lordships will once more pardon my Earnest-

ness, if I call God to witness, that I utterly detest any such *traitorous Intention*; and I should in my own Opinion be unworthy of the *Name of a Christian*, if I could give my self leave to cast such a *black, and groundless Imputation* upon any one in *like Circumstances with mine*, who had given all *possible Evidences of his Duty and Affection to the present Government*. My Lords, I have taken the *Oaths of Allegiance to Her Majesty*, and that of *Abjuration against the Pretender*; and when therefore I preach'd the *Doctrine of Non-Resistance*, it is most apparent, that the *Government, which I persuaded my Fellow-Subjects not to Resist, is the present Government*; and I humbly conceive, that the *present Government* can never be *Overtured*, if it be *never Resisted*.

How *true a Zeal and Affection* I have always born to her Majesty's *Person and Government*, I leave to be judged by your Lordships, and the *whole World*, from those *publick Demonstrations* which I have given of it, at all Times when I had occasion to make mention of *either*. I hope your Lordships will pardon me, if I refer to some of my own *printed Expressions*, as an evident Proof of my unfeigned Duty and Allegiance. " If, to call it the
" most inestimable Blessing this Nation could en-
" joy, that Her Majesty, the good and pious Relict
" of the Royal Family, sits now happily upon the
" Throne of Her Ancestors; If to pray, that God
" may long preserve Her for the Comfort and Sup-
" port of the Church, as the only Security, under
" God, it has to depend upon; If, earnestly to con-
" tend for the Safety, Rights, and Establishment of
" Her Majesty, together with those of the Church;
" If, to vindicate Her Majesty's Title to the Crown
" against the Usurpations, Pretences, and Encroach-
" ments of Her Adversaries, and to assert Her
" Right to the Throne to have been so clear, ma-
" nifest, and undoubted, that even Her worst Ene-
" mies (*could such a pious Princess be supposed to*
" *have any*) must acknowledge it: That She was
" proclaim'd as 'twere by the Voice of God, in the
" universal Joy, Satisfaction, and Unanimity of
" Her Subjects; that Her *personal Merit* exempted
" from *that*, made her worthy of a brighter Dia-
" dem than She wears: If, to persuade her Subjects
" with the most hearty Zeal, and Generosity, to
" enter into a necessary War, for the Defence of
" Her Majesty, and the common Preservation of
" our Church, Liberties, and Constitution, against
" a powerful Adversary; If, to beseech God to
" prosper so good an Undertaking, to give an hap-
" py Event and Issue to such a Rightful Cause, to
" crown our Arms with Victory, and to make them
" as successful, as they are just and honourable;
" And that, in order to this, we are all bound,
" both in Duty to God and our Sovereign, as well
" as by our own Interest, unanimously, and hear-
" tily to assist and support her under this great Un-
" dertaking, as far as our Prayers, and Estates,
" Lives, and Fortunes can serve Her; If, to per-
" suade Her Subjects, that the great and threatening
" Dangers of our Enemies, should have that just
" Effect upon us, to unite us, as much in our Re-
" solutions and Affections, as they do in our com-
" mon Interests, Apprehensions, and Troubles; If,
" to set out the Blessings we enjoy in the wise Con-
" stitution of our Government and Laws, in the most
" refin'd Policies of our Parliament and Ministry, in
" the Strength and Number of our Armies, Fleets,
" and Confederates, in the Care and watchful Vi-
" gilance, the Courage, Resolution and Conduct of
" our General, and *above all* in the Piety and Pru-
" dence

dence of our *most gracious QUEEN*; If, to affirm that She daily gives fresh Instances of Her Wisdom, in the happy Administration of Her Government, and in nothing more shews Her Policy, and distinguishing Judgment, than in making Choice of such Ministers of State, who are acceptable to their Country, and express such a Zeal and Steadiness in its Service and true Interests, and whom nothing could bribe, or betray into a Party, wherein it might any ways seem to be endanger'd; If, with the most ardent Requests to implore God's Providence, which through so many Dangers and Difficulties has rais'd up, and preserv'd Her Majesty, to carry on these glorious Undertakings with Success, that She may be able to Restore and Settle the Peace of *Europe*, in its just Rights and Limitations; and that, as God has bestow'd a Crown upon Her in this World, as the Reward of these heroick and pious Designs, so, after a long Reign here, he would advance Her to an higher Throne in Heaven, and dignify Her with a glorious and immortal Crown hereafter." If this, my Lords, I say, is *falsely and maliciously to Suggest*, that Her Majesty's Administration both in Ecclesiastical and Civil Affairs, tends to the Destruction of the Constitution; If this be charging Her Majesty, and those in Authority under Her, both in Church and State, with a general Male-Administration; If this be, as an Incendiary, to persuade Her Subjects to keep up Distinctions of Factions and Parties; If this be Instilling groundless Jealousies, fomenting destructive Divisions, and stirring up Her Majesty's Subjects to Arms and Violence, against any of Her Enemies; then, my Lords, I am Guilty of this Article of Impeachment; otherwise I am innocent.

My Lords, I have always thought it *my Duty*, upon all publick Occasions, to assert these Principles of Loyalty and Subjection to the Supreme Power, whenever I had a proper Call so to do; of this there are numberless Witnesses in those several Places to which I have belong'd. One of these I beg leave of your Lordships particularly to mention, *Magdalen College in Oxford*, whereof I am at present an unworthy Member; and which by the known Sufferings of the whole Body for the Church and Constitution, contributed as much towards the late happy Revolution as any Society in the Kingdom: To which Honourable Society I humbly appeal for my Character and Behaviour. I could also appeal for the same to a Right Reverend Lord, that now sits on the Bench of Bishops.

Had it been fit to have troubled your Lordships with Evidences of my hearty Affection to the present Government, I could have produced them in great Abundance, from the Persons with whom I have convers'd, from the Gentlemen whom I have bred up, and from the Congregations to which I have preach'd. If my Principles had any Tendency towards Alienating the Affections of Her Majesty's Subjects, surely some one Instance of my Disloyalty to the QUEEN, some favourable Expressions toward the Pretender, some Indications of my Dislike to the present Settlement, and the Protestant Succession, might have been pitch'd upon, and expos'd to your Lordships, in order to justify the Charge of Sedition against me. But I cannot but with Pleasure observe to your Lordships, that from the whole Course of my Actions, no one Instance of that kind is aliedg'd, or so much as pretended.

My Lords, The Charge of wickedly wresting divers Texts of Scripture lies very heavy upon me,

as a Christian, and Minister of Christ. If I am Guilty of it, there is another Tribunal, another Bar at which I am to appear, and where by that Scripture, which I have wrested, I shall be judg'd and Condemn'd. In the mean time, my Lords, I hope that those, whose particular Profession, and Studies qualify them to be the most competent Judges of such Matters, will absolve me in this Particular.

Upon the whole, therefore, my Lords, I hope it appears that I am not guilty of any of the Crimes of which I am accus'd; that I have Transgress'd no Law of the Land, neither Statute, nor Common Law, relating either to Her Majesty, or to my Fellow Subjects, to the Church, or to the State: And that I may with all Humility apply to my own Case, the Words of that blessed Apostle, whose Doctrine I defend, and whose Example I hope I shall have the Grace to follow, *Neither against the Law, nor against the Temple, nor against Caesar, have I offended any thing at all.*

What I have hitherto humbly offered to your Lordships relates to my Words and Actions; and as to the Thoughts and Intentions: *My Heart*, which are known only to God, and my own Conscience, and which are affirm'd in my Impeachment to be wicked, seditious and malicious; I call the Searcher of Hearts to witness in the most solemn, and religious Manner, as I expect to be acquitted before God, and his Holy Angels, at that Dreadful Tribunal, before which not only I, but all the World, even your Lordships, who now sit in Judgment upon me, must appear, to be acquitted or Condemn'd; that I had no such wicked, seditious, or malicious Intentions; that there is nothing upon Earth, I more detest and abhor: That my Designs were, in every respect, directly contrary. I had no Intention to asperse the Memory of His late Majesty, to traduce, or condemn the late Happy Revolution, or to arraign the Resolutions of both Houses of Parliament. So far was I from designing to undermine and subvert Her Majesty's Government, and the Protestant Succession as by Law Establish'd, that it was my sincere Intention to exert my best Endeavours for their Security. So far was I from intending, to persuade her Majesty's Subjects to keep up a Distinction of Parties and Factions, from instilling groundless Jealousies, fomenting destructive Divisions among them, or exciting and stirring them up to Arms and Violence, that my Aim was to persuade them to lay aside all Distinctions, to unite in one, well-compacted Body, to be Obedient to their Governors, and to support the present Establishment. So far was I from designing to defame Her Majesty's Administration, or to infuse any undutiful Thoughts of Her, that I not only pay Her all Honour and Obedience, but am from the bottom of my Soul zealously, and affectionately Loyal to Her; being entirely persuaded, that the Church is so far from being in Danger from Her, that She is as heartily affected to its Establishment, and Prosperity, as I hope I have always shew'd my self to be to Her Sacred Person, and Government.

As to the Protestant Succession by Law Establish'd, tho' the Doctrine which I preach'd tends to the Security of it, (as I heartily desire every thing by me spoken should tend) yet having no Occasion in either of my Sermons to take Notice of it, I do no where in those Sermons mention it, nor say any thing that can be Interpreted to have any View towards it. Therefore tho' I cannot with my best Application apprehend, how it comes to be said in the Preamble

to my Impeachment, that I had designed to undermine and subvert it, yet I shall gladly take this Opportunity, of declaring my self before your Lordships upon that Subject. It is my sincere and hearty Prayer, that God would prolong the Life of Her Most Sacred Majesty, whose Exemplary Goodness and Piety, give us the best Hopes we have of averting that Vengeance, which is due to the Wickedness of the Age we live in; that He would bless Her Councils at Home, and Her Arms Abroad, and make Her Reign exceed that of Her Renowned Predecessor Queen Elizabeth, in Length, as well as Glory. But when the Inheritor of the Blessed Martyr's Crown, and Piety, when She, the Desire of our Eyes, and the Breath of our Nostrils, shall full of Years, and Honour, be Gathered to Her Fathers, and exchange Her Temporal for an Immortal Crown; (since we are deprived of that Prince, Her Royal Off-spring, whose Loss no true Lover of his Country, and of the Royal Family can reflect upon without a Bleeding Heart, and whom God in his Anger took from us, because we were unworthy of so inestimable a Blessing,) I earnestly beseech God, in defect of Future Issue from Her Majesty, to Perpetuate the Succession of the Crown, as it is Established in the most illustrious House of Hanover, which I look upon as, next to his Providence, the best Guard we have against Popery and Arbitrary Power, the best Security of our Church, and of the Constitution of our Government, which is the Glory and Happiness of our own Nation, and the Envy of all others. And I cannot yet apprehend, how the Doctrine, which I have taught, tends to weaken or undermine it; nor on the other side, how the Doctrine of Resistance, which brought Her Majesty's Royal Grand-Father to the Block, (supposing it a true Doctrine) comes to be mentioned, or thought of, much less to be industriously maintained, as a necessary and indispensable Duty, under the most mild and gracious Administration of the best of Queens. Nothing seems more strange than that Resistance should be so carefully taught under such a Government, unless it be that Non-Resistance should overturn it.

So far was I therefore from having any of those wicked, malicious, or seditious Designs, which are laid to my Charge, that my Intentions were, on the contrary, to instil the Principles of Loyalty and Obedience into my Fellow-Subjects, and withal to put a stop to that Torrent of Lewdness, Irreligion and Atheism, of which I have given your Lordships so many flagrant Testimonies.

Those outrageous Insults upon God, and Goodness, are so Provoking, that they may excuse some Heat, and Severity of Expression in a Minister of Christ, who has a just Sense of Religion, a due Concern for the Discharge of his Holy Function, or for the Honour of his Maker and Redeemer. And if any Objection be made against me, for Treating with an Unbecoming Bitterness such Daring Rascals, who defy the Living God; I beg leave to Reply in the Words of a Reverend Father of our Church, Let them consider what Moderation and Temper, a Man had need be of, that in this Nation, and this Age, shall speak against Faction, Rebellion (I add Deism, Tritheism, and all sorts of Heresy, Blasphemy, and Atheism) without extraordinary Severity. Nay, it is our Duty in such Cases, to express our selves with Warmth and Sharpness, according to the Example of our Blessed Saviour; who, tho' Meekness it self, could not but shew the utmost Indignation at the Prophaning the House of God. This is not, my Lords, to rail, but to rebuke; and those, who

ridicule, or censure us for it, either have not, I presume, or will not own they have, a right Notion of the Dignity of our Office; will not consider, that we are the Ambassadors of Christ, that we are commanded, in his Name, to exhort, and rebuke with all Authority; and that our Authority is derived from those to whom it was said by our Blessed Saviour, He that despiseth you, despiseth me, and he that despiseth me, despiseth him that sent me: Whatever Expressions therefore in my Sermons may have slipped from me, which seem so far liable to Exception, as to carry a Sense I never intended (as he must be an Happy Speaker indeed, whose Words are altogether unexceptionable) yet I humbly hope, the above-mentioned Provocations will plead my Excuse, or that, at the very worst, some hasty, or even violent Expressions, shall not be deemed High Crimes and Misdemeanors. I desire it may be farther considered by your Lordships, that I could have no Temporal Interests to serve by the Doctrines I advanced; and therefore could have no Design in view, but to discharge my Duty to God, as a Minister of Christ, and to my Sovereign, as a Faithful, and Loyal Subject.

My Lords, These Things being humbly offered to the Consideration of your Lordships, I hope, that what I have already suffered, as a supposed Criminal, will be thought sufficient Punishment for one, who has offended against no Law yet in Being. It must be thought no little Grief and Vexation to any ingenuous Man, to be brought to this Bar, under the least Suspicion of such Crimes as are laid to my Charge; but for a Person of my Function to have an Accusation of this Nature alledged against him, so heinously reflecting upon his Holy Character; is such a foul Blot, as though his Innocence should at last be cleared by your Lordships, upon the most undeniable Evidence, must leave a Scar upon his good Name; which is to all Men dear, but much more so to those, whose whole Capacity of doing good in the World principally depends upon it.

My Lords, As the Matter of my Charge was highly criminal, so the Form and Manner of it ran in such general, and uncertain Terms, that 'twas impossible to know the Grounds of my Accusation; or how to defend my self, when I knew not where I should be attack'd. So that after I had provided as particular an Answer as such a general Accusation would admit of, the Commons were pleased in their Replication to say, that there were several Things in it Foreign to the Charge. To the great Mistortune of falling under the Displeasure of that Honourable House, I might add, That of a long and close Confinement, and of an Expence no ways proportion'd to my Circumstances. These, my Lords, are Afflictions which can be conceiv'd by no Body so well as by him, who has been so unhappy as to feel the Weight of them. And among these I reckon it not the least of my Sufferings, that I have been for so long a time debarr'd, from taking heed to that Flock, over which the Holy Ghost hath made me an Overseer. For even since I have had my Liberty, by the Favour of your Lordships admitting me to Bail, I have purposely avoided doing any Part of the Duty of my Function, or even appearing in Publick, lest it should occasion any Tumult or Disturbance; as my necessary Attendance on your Lordships from time to time, has since been thought unhappily to have done, without any Fault of mine, or the least degree of Encouragement given by me, which I profess, in the Presence of God, to abhor.

All these Circumstances, my Lords, being consider'd, together, with the *Publick Manner*, the *Length* and *Solemnity* of my *Trial*, before so August a Court of Judicature, by which Means I am made a *Gazing-stock*, both by *Reproaches*, and *Afflictions*, and a *Speſtacle* to the whole *World*; I have ſtood in this Place Day after Day, to hear my ſelf Accus'd of the *blackeſt Crimes*, and openly *revil'd*; I have been represented as a *Papiſt* in Diſguiſe, as a *Rebel*, as an *Enemy* to Her Majesty's *Perſon* and *Government*, and a *Favourer* of the *Pretender*, tho' I have *abjur'd* him, (but not *forgot* him, as a Learned Perſon was pleas'd to ſay) that is, as the worſt of *Perjur'd Villains*: I have been call'd an *inſignificant Tool* of a *Party* on the one Hand, and a *moſt dangerous Incendiary* on the other; nay, an *Angel*, that is a *Devil*, *detach'd* from the *Infernal Regions*: All theſe things, I ſay, being conſider'd, (and your Lordſhips I am ſure, in tender *Compaſſion* to me, will conſider them,) it is moſt certain, that, whatever be your Lordſhips *Determination* concerning me, I cannot eſcape without being a very *great Sufferer*; and I ſhall have been abundantly *puniſh'd*, tho' I ſhould have the *Happineſs* to be by your Lordſhips at laſt *Acquitted*.

Yet I cannot Reſlect without *Comfort*, (the *greateſt* of *Comforts* next to that of a *good Cauſe*, and a *good Conſcience*) that I *Answer* for my ſelf this Day before the moſt *Illuſtrious* Aſſembly in the *World*, the whole *Body* of the *Nobility* of Great Britain; whoſe *Princely Extradition*, and *High Quality*, whoſe *Magnificent Titles*, and *Splendid Fortunes*, whoſe *Hereditary Candor* and *Generoſity*, inherent in *Noble Blood*, inſeparable from the *Birth* and *Education* of *Peers*; in a word, whoſe *Solid Judgment*, and *exact Skill* in the *Laws* of this *Realm*, ſo eminently *Qualify* them for the *final Determination* of *juſtice*; who are neither to be *ſway'd* by *Hopes*, *over-ru'd* by *Fears*, nor *miſſed* by any *False Prejudice* or *Paſſion*. If it muſt be a Man's *Miſfortune* to labour under ſuch *hard Circumſtances* as mine, it is no ſmall *Mitigation* of them, that he *Pleads* his *Cauſe* before ſuch *Judges*, who, he knows, will *Decide* it with the ſtricteſt *Impartiality*, *Equity*, and *Honour*.

And, when I conſider that I now ſtand, and am *Judg'd* for ſome of the *Doctrines* of that *Gospel*, which God deliver'd unto our *Fathers*, and you, my Lords the *Biſhops*, their *Successors*, have receiv'd from *Chriſt* and his *Apoſtles*, as the *ſacred Depositem* of the *Church*, to be maintain'd inviolably in its *Primitive Simplicity*; when I conſider, what is the *Cauſe* for which I am this Day call'd in *Queſtion*; that it is *One* of thoſe *Eternal Truths*, which you are ſo *Solemnly commiſſion'd* to *Teach*, and *earnestly Contend* for; when I conſider, that 'tis what our *Bleſſed Lord* and his *Apoſtles* ſeal'd with their *precious Blood*, and ſo many *Primitive Martyrs* maintain'd even in the midſt of *Flames*, ſo many *Learned Biſhops*, and *Confessors* recommended to *Poſterity* in their *immortal Writings*, as the *distinguishing Badge*, and *Glory* of our *Reformation*; nay, when I conſider, that 'tis what you your ſelves have already ſupported with *incontrollable Reason*, and *Authority*; it is no ſmall *Satisfaction* to me to think, that as your Lordſhips are my *Judges*, ſo, I hope in God, you muſt be my *Advocates*. What a *Guilt*, as well as *Diſgrace*, would it juſtly devolve upon the *Clergy*, to *recede* from any *Principle* of our *excellent Church*, eſpecially from what has been ſo long *retain'd*, and *boas'ted of*, as its *peculiar Character*! By *abandoning* which we muſt *relapſe* into ſome of the *worſt Doctrines*, even of *Popery* it ſelf, and render

our ſelves the moſt *contemptible*, as well as *inconſiſtent Church* in the *World*! I think, I may therefore with *Confidence* uſe the *Words* of the *Great Apoſtle* to his *Accuſers*; Having obtain'd *Help* from *God*, I continue unto this *Day*, *witneſſing* both to *ſmall* and *great*; ſaying none other *Things* than thoſe which the *Prophets* and *Moses* (I may add, *Chriſt* and his *Apoſtles*,) *did ſay*.

For, my Lords, if I have committed any *Faults* or *Errors* in *Expreſſion*, yet as I *inſiſt* upon my *Innocence* with reſpect to all the *High Crimes* laid to my *Charge*, ſo I muſt ſtill *inſiſt* upon all the *Doctrines* which I have taught, as being *agreeable* to the *Word* of *God*, and to the *Doctrines* of our *moſt excellent* and truly *Apoſtolic* *Church*, and which we of the *Clergy* are *oblig'd* both by *ſubſcription*, and *Oath* to *acknowledge*, and *defend*. And how *hard* are our *Circumſtances*, if we muſt be *puniſh'd* in this *World* for *doing* that, which if we *do not*, we ſhall be more heavily *puniſh'd* in the *next*! What a *Condition* are we in, if we are *commanded* to *cry aloud* and *ſpare not*, to *exhort*, *rebuke*, in *Season* and *out of Season*, on the one Hand, and *proſecuted*, *imprison'd*, *ruin'd* on the other! If this be our *Cate*, who indeed is *ſufficient* for theſe *Things*? And truly how may we of the *Ministry* above all *Men* living, apply to our ſelves thoſe *Words* of the *Apoſtle*, *If in this Life only we have hope in Chriſt*, we are of all *Men* moſt *miſerable*: But our *Comfort* is, that our *Hope in Chriſt* is not only in *this Life*. Juſtly might we be *reproach'd*, and *deſerve* ſome of thoſe *Reflections*, which in theſe *Licentious Times* are ſo plentifully *pour'd* upon us, were we not ready to *Practiſe* the *Doctrines* we *preach*, of *Self-Denial*, *taking up our Croſs*, and *patient Submission* to *Sufferings* and *Afflictions*! For my own *Part*, it matters not what becomes of *me*, nor is my *Deliverance*, or *Ruin*, of any *Moment* to the *World*; or, if it be, I am not only ready to be *bound*, but to *die*, could I by that do *Service* to my *Queen*, my *Church*, or my *Country*; neither count I my *Life* dear, ſo that I might *finiſh* my *Course* with *Joy*, and the *Ministry* which I have received of the *Lord Jeſus*. But may *God* ſo direct your Lordſhips, that through *me* a *Wound* may not be given to the *Doctrines* of the *Scriptures*, and of the *Church*, which *Chriſt* hath purchas'd with his own *Blood*.

And ſo, with all *Humility* and *Reſignation*, I ſubmit my ſelf to your Lordſhips *Judgment*; be it what it will: *One Thing* I am ſure it can never *take* from me, the *Power* of *Wiſhing* and *Praying*, and (whether in *Proſperity* or *Adverſity*, whether I am *Acquitted*, or *Condemn'd*) I ſhall always pray for the *Queen* my *Sovereign*, for your Lordſhips my *Judges*, and for the *Commons* my *Accuſers*; moſt *earnestly* beſeeching *Almighty God*, to deliver all *Orders*, and *Degrees* of *Men* amongſt us, from all *faulſe Doctrine*, *Hereſy*, and *Schiſm*, from *Hardneſs of Heart*, from *Contempt* of his *Word*, and *Commandment*; from *Envy*, *Hatred*, and *Malice*, and all *Uncharitableneſs*.

Then the LORDS adjourn'd to their Houſe Above.

Thursday, March 9. The Ninth Day.

THE Lords coming down into *Westminster-Hall*, and being ſeated in the manner before-mentioned, *Proclamation* was made by the *Serjeant at Arms* as follows:

Our Sovereign Lady the Queen doth strictly Charge and Command all manner of Persons to keep Silence, upon Pain of Imprisonment.

Then another Proclamation was made: *Henry Sacheverell*, Doctor in Divinity, come forth, save thee and thy Bail, else thou forfeitest thy Recognizance.

The Doctor appearing at the Bar accordingly, with his Council, as before:

Lord Chancellor. Gentlemen, you that are Managers for the House of Commons may proceed to your Reply.

Sir Joseph Jekyll. MY Lords, Doctor *Sacheverell* and his Council having concluded what they had to offer to your Lordships, I shall enter upon the Province assign'd to me, in further Execution of the Commands of the House of Commons, which is, to Reply to the Defence made for the Doctor to the first Article of the Commons Charge.

My Lords, I shall take Notice, first, of the Concessions made by the Doctor's Council; secondly, of the Exposition they have put upon those Passages of the Sermon, which have been relied on by the Commons to maintain this Article; and, thirdly, of the Acts of Parliament, the Homilies, the Books, the Sermons, the Pamphlets and the Gazettes, which the Doctor's Council have call'd for to be read to your Lordships.

And if I shall satisfy your Lordships, that the Concessions made by the Doctor's Council are a Departure from the Defence made for him in his Answer, that they are extorted by Necessity, and are likely to be retracted when this Turn is serv'd; if I shall shew your Lordships, that their Exposition of the Passages in the Sermon, is contrary to the plain Meaning of those Passages; if I shall shew, that the Acts of Parliament, the Homilies, and the other Prints that have been produc'd, are either immaterial, or condemn the Doctrine laid down in the Sermon; and if I shall shew, that this Criminal, for so I must call him, since the House of Commons have call'd him so; (whether he will be so in the Event, I agree, rests only in your Lordships Judgment); if, I say, I shall shew he is guilty of a most heinous Offence, I shall not doubt of your Lordships Justice.

My Lords, The Concessions are these, That Necessity creates an Exception to the General Rule of Submission to the Prince: That such Exception is understood or implied in the Laws that require such Submission: And that the Case of the Revolution was a Case of Necessity.

These are Concessions so ample, and do so fully answer the Drift of the Commons in this Article, and are to the utmost Extent of their Meaning in it, that I can't forbear congratulating them upon this Success of their Impeachment; That in full Parliament this erroneous Doctrine of unlimited Non-Resistance is given up and disclaim'd. And may it not, in After-Ages, be an Addition to the Glories of this bright Reign, that so many of those who are honour'd with being in Her Majesty's Service, have been, at your Lordships Bar, thus successfully contending for the National Rights of Her People, and proving they are not precarious or remediless.

But to return to these Concessions; I must appeal to your Lordships, whether they are not a total Departure from the Doctor's Answer; whether there is one Word in the Answer which looks that Way.

In his Answer he takes Notice, that the general Assertion in his Sermon, of the utter Illegality of Resistance, is a colourable Pretence for the Article; but does he add the Restriction or Limitation to it, which hath been now thought necessary, and hath been insisted upon as most material for his Defence? No, my Lords, but the quite contrary; for these are the Words of his Answer, *The said Henry Sacheverell doth with all Humility aver the Illegality of Resistance, on any Pretence whatsoever, to be the true Doctrine of the Church of England.* Now, could any thing have been more material for him in his Answer, than adding these Restrictions to his general Assertion in his Sermon, which his Council now say he intended, tho' he did not express? Or if that was his Intention, could he possibly have forgot it, when the Frame of his Answer was under Consideration?

But now he sees the Resolution of the Commons, and the Endeavours of those who have their Commands to carry on this Prosecution, to bring him to Punishment; now he sees your Lordships daily Attendance upon this Trial, and your Attention to the Charge against him; now he sees, if he had abided by his Answer, he must have been condemn'd, or *the Revolution*; these are the Motives which have prevail'd upon him to tolerate his Council to make these unwilling Concessions, and have extorted them from him.

And how little these Concessions ought to avail him, your Lordships will see, when you consider how likely it is he will retract them when this Turn is serv'd. May we not then expect he will use this very Argument of Necessity, the Coercion or Restraint he is under by this Prosecution, as an Excuse for these Concessions? And when your Lordships are told, that it is the Duty of Divines (whose Office it is to explain the Scripture to the People) to inculcate this Doctrine of Non-Resistance in the most unconfined and unlimited Terms they are able, and mentally reserve the Exception to themselves; when Authorities have been produced for asserting this Doctrine in such a manner as to exclude any Exception whatsoever, and the Doctor himself did not expressly come into these Concessions, it is certain they ought not to be of any Avail to him.

Your Lordships will therefore give me Leave to consider the Exposition which hath been put on those Passages, which the Commons relied on for Proof of their First Article: And I shall shew that Exposition to be contrary to the plain Meaning of those Passages.

My Lords, I readily agree, that no strain'd Innuendo's, or suppos'd and forc'd Constructions (which are the Words used in the Reason given for reversing the Judgment in *Sir Samuel Barnardiston's* Case) ought to be admitted, to explain the Meaning of the Doctor, in order to prove him Criminal. I think the Principles laid down upon the Reversal of that Judgment are solid and just; and therefore nothing but express Words, or a necessary Implication collected from a Man's Words, can make him an Offender. But I would not have it gone away with, that there must be express Words of Scandal to make a Man Criminal; indirect or oblique Scandal has in all Times been met with and punish'd in the ordinary Courts of Justice; and if it were otherwise, that which aggravates the Crime (the Subtily or Contrivance of it) would prevent the Punishment: And therefore it is, that Ironical Scandal,

Scandal, nay, even dumb Scandal (Scandal by Pictures, or by Signs) as is mention'd in the *Cafe de Libellis Famosis*, in my Lord Chief Justice Coke's Fifth Report, is punishable by Law. The only Caution necessary in these Cases is, that the Construction or Interpretation be not strain'd or forc'd. And, my Lords, in this Case we have not only a seditious Meaning plainly collected from the Doctor's Words, but express Criminal Words, a false Suggestion, that his late Majesty, in his Declaration, disclaim'd the least Imputation of Resistance, introduc'd for a malicious and seditious Purpose.

My Lords, The First Article has been rightly divided into three Parts. The Doctor is charg'd with suggesting and maintaining, First, *That the necessary Means used to bring about the Revolution, were odious and unjustifiable.* Secondly, *That his late Majesty in his Declaration disclaim'd the least Imputation of Resistance:* And, Thirdly, *That to impute Resistance to the Revolution, is to cast black and odious Colours on his late Majesty and the Revolution.*

The two last Branches, my Lords, are Particulars. The first is the General; and if the two last are proved, such Proof makes out the first: But I shall consider the Answer given by the Doctor's Council to the Proof of the two last Branches in their Order, and proceed to consider the Answer that has been given to the proper Proofs of the first.

My Lords, The first Proof of this Branch was the general Assertion of *the utter Illegality of Resistance upon any Pretence whatsoever.* It hath been said in Answer to this, that this is spoken of the Supreme Power, which is the Legislative Power, and then there ought to be no Exception whatsoever.

But, my Lords, that the Doctor did not mean the Supreme Legislative Power, but the Supreme Executive Power, is evident,

First, From the Account he presently gives of those that oppose his Principle of Non-Resistance, which runs all along upon the Person of the Prince only, *as cancelling their Allegiance, calling their Sovereign to an Account, Dethroning and Murthing him.*

Secondly and Principally, From his bringing in the Case of the Revolution, as urg'd by those who are Adversaries to his Principle of Non-Resistance. Now the Revolution is not, cannot be urg'd as an Instance of the Lawfulness of any thing, but of resisting the Supreme Executive Power acting in Opposition to the Laws; and this the Doctor himself admitted, when he told your Lordships that *the Supreme Power was not then resisted.* This is therefore the Supreme Power he affirms it is utterly unlawful to resist.

But it was said by one of the Doctor's Council, *That the Non-Resistance the Doctor preaches up, is the utter Illegality of Resisting the Supreme Power in all Things Lawful,* for those Words, *in all Things Lawful,* make part of that Sentence. My Lords, I admit they do; but those Words are relative to his Assertion concerning Active Obedience, and not Passive, as will appear by reading the whole Sentence. *The grand Security of our Government, and the very Pillar upon which it stands, is founded upon the steady Belief of the Subjects Obligation to an absolute and unconditional Obedience to the Supreme Power in all things Lawful, and the utter Illegality of Resistance on any Pretence whatsoever.* The one

dividing Member of the Sentence is, the *Obligation to Obedience in all Things Lawful*; the other, *the Illegality of Resistance on any Pretence whatsoever*; the one is restrain'd, the other unlimited. It must be taken therefore (notwithstanding these Objections) That the Doctor asserts the utter Illegality of Resistance to the Supreme Executive Power, though acting not in Conformity, but in Contradiction to the Laws.

My Lords, I go on to the second Proof of the first Branch of this Article, which is, the Doctor's Insinuation that the Parliament disown'd the Resistance at the Revolution, by *declaring that they set the Crown on the King's Head on no other Title than of the Vacancy of the Throne.* One of the Council thought fit to stand to this Fact, because the Vacancy of the Throne is mention'd in the Bill of Rights; and he says, there is no other Fact there stated. I beseech your Lordships, Does not the same Act take Notice of the Male-Administration of K. James, and his Abdicating the Government, as the Means by which the Throne became void? And I may appeal to your Lordships Journal, and the Journal of the House of Commons, whether the Word *Abdicated* was not used rather than the Word *Deserted* (after a Conference between the Two Houses) for this Reason, insisted on by the Commons, that that Word *Abdicate* included in it Male-Administration, which the Word *Desert* did not.

The same Council said, the *Act for preventing Vexatious Suits*, urg'd by the Commons as a Parliamentary Declaration, justifying the Resistance at the Revolution, was only for Indemnifying those that acted at that Time, and was no more than was done in the Reign of Edward the Third, after Edward the Second was Dethroned. This surely is no manner of Answer to the Declaratory Part of that Law, which takes Notice of the King's undertaking a glorious Enterprize, for delivering the Kingdom from Popery and Arbitrary Power; and that divers Subjects, in Aid and Pursuance of that Enterprize, did several Acts of Violence and Resistance; and this Law declares such Acts were necessary, and ought to be justify'd. And I can't but observe this by the way, that the Parliament and the Doctor are of different Opinions; the Parliament thought that Resistance ought to be justify'd; the Doctor thinks not; and if so, then *Doctor Sacheverell doth suggest and maintain, that the necessary Means used to bring about the Revolution were odious and unjustifiable.*

I come now, my Lords, to the second Branch of the First Article, the Doctor's Assertion, *That his late Majesty in his Declaration disclaim'd the least Imputation of Resistance*; and the Doctor's Answer to it.

My Lords, His Council admit this Assertion is in the Sermon, and that this Assertion is not true; but they say it was a Mistake only in the Doctor, that the Doctor has express'd himself somewhat obscurely, and now he has explain'd himself, that Explanation ought to be receiv'd. The Doctor meant, they say, Conquest; and so he had explain'd himself not only in the Marginal Note, but in the Sermon it self. My Lords, if this were so, I admit it would be a good Defence; but that this was not a Mistake, or rather was a wilful one in the Doctor, and that he thereby design'd to Traduce the Memory of his late Majesty and the Revolution, I shall shew from what his own Council insist on.

They

They say the Doctor must mean Conquest, because the Prince of *Orange*, who was no Subject, but a Sovereign Prince, could not be said to resist according to the common understanding of that Word. Now, my Lords, it is true, the Prince of *Orange* could not be said to resist, and so could not disclaim Resistance for himself; but could he not be join'd and assisted by the Subjects of the Realm, who might be said to resist, and were invited by him so to do? Doth not this appear by the whole Tenor of his Declaration, and even by the Passages quoted by the Doctor? And since his late Majesty could not be said to resist, but the Subjects, who, upon his Invitation, join'd with him, could; and the Resistance of Subjects is what the Doctor is speaking against; it is plain, that the Doctor speaks of the King's disclaiming the Resistance of those who join'd with him, and not his own Resistance. And therefore I cannot see that the Quotation of the Passage out of the Prince's Declaration, at the bottom of that Page, doth make out that he meant Conquest, by Resistance in his Sermon; or if it did, Would it excuse the Doctor's Preaching this Part of his Sermon, which was done without referring to that Passage?

But it is said, he has explain'd that he meant Conquest by Resistance in the Body of the Sermon, because he says *the Parliament burnt a Libel that would have pleaded the Title of Conquest, by which Resistance was supposed.* But that this Passage doth not make out that he meant Conquest by Resistance, is evident, from his making Resistance not to be Conquest, but only an Ingredient in it. And by representing Resistance and Conquest to be the same thing with the Doctor, he is made to say, that the Parliament burnt a Libel that would have pleaded the Title of Conquest, by which Conquest is suppos'd.

It is plain therefore that *Doctor Sacheverell hath asserted, that his late Majesty in his Declaration disclaim'd the least Imputation of Resistance; and disclaim'd it at a Time, if you'll believe the Doctor, when he was exhorting the Subjects of King James to resist, and was joining with them, and encouraging them in it; than which it is impossible there can be a greater Reflection on his late Majesty, or the glorious Cause he then had in hand.*

My Lords, I come now to consider the Proof of the Third Branch of the first Article, and the Answer that has been given to it. The Third Branch is this, *That to impute Resistance to the Revolution, is to cast black and odious Colours upon his late Majesty and the Revolution: The Proof is, that Part of the Sermon wherein the Doctor asserts, That the Adversaries to the Doctrine of Non-Resistance, who urge the Revolution in their Defence, are the greatest Enemies to that and his late Majesty, and the most ungrateful for the Deliverance, in endeavouring to cast such black and odious Colours upon both: How often must they be told, &c.* The Answer to this is, That the Persons the Doctor describes, as casting black and odious Colours on his late Majesty and the Revolution, are not those who impute Resistance to the Revolution, of whom he asserts nothing, but those new Preachers and new Politicians, who teach Antimonarchical and wicked Doctrines, and who urge the Revolution in Defence of 'em.

My Lords, if the Doctor had meant these Persons, he would have shewn them, which he certainly might have done, that what was acted at the Revolution, did not in the least justify their Opinions; but he declining this, and placing the

Defence of the Revolution on a false Fact, known to be so to himself and to the whole Nation; and this, taken together with his introducing these Men as defending their Principles by the Revolution, leaves the Load of these detestable Opinions on the Revolution, and not only condemns the Resistance at the Revolution, but brands it.

But it is said, my Lords, that the Clause, *Our Adversaries think they effectually stop our Mouths, &c.* relates to the Defence of these Antimonarchical Principles, and not to the general Proposition of the utter Illegality of Resistance upon any Pretence whatsoever; and if so, I agree there is no Foundation for this Branch of the Article; and whether he is guilty of this Branch or not, turns entirely on this Question.

My Lords, I little thought such a Construction would have been endeavour'd, by a wrong Recital of this Clause in the Sermon, by the Doctor in his Answer; for there it is said, as from the Words of the Sermon, *That they, that is, says the Doctor, these new Preachers and new Politicians, urge the Revolution in defence of such Principles; when your Lordships see the Words of the Sermon are, Our Adversaries think they effectually stop our Mouths, and have us sure and unanswerable on this Point, when they urge the Revolution of this Day in their Defence.* This therefore brings the Case of the Revolution urged by these Adversaries, to the Point or Proposition he had before laid down, which was the utter Illegality of Resistance on any Pretence whatsoever; and not to the Defence of divers Antimonarchical Principles, taught by the new Preachers and new Politicians. And this is still plainer, if your Lordships consider that the Doctor's Reply to these Adversaries, by denying there was any Resistance at the Revolution, can only relate to the Point of Non-Resistance he had before asserted; and which Resistance, if it were not denied, must stand condemn'd by the Doctor's Proposition.

As little, my Lords, did I expect to hear from one of the Doctor's Council, that there are twenty or thirty Lines between the General Proposition and this Clause; since if there be a Connection between this Clause and that Proposition (which I have already shewn there is) it is not the Intervention of so many Lines will hinder it; and if there had been no Connection, their being close together would not have made one. And by this manifest Connection, the Doctor hath brought this general Position, of the Unlawfulness of all Resistance, to bear upon the Revolution. Which I hope may serve for an Answer to the same Gentleman, who says, It is one thing to lay down the General Rule without making the Exception, and another thing not to make the particular Exception out of that Rule; for the Doctor has mentioned the Revolution, but not in order to except it, but to include it.

Indeed, my Lords, the Learned Doctor, who is of his Council, pretends to have found out the Exception in the Sermon, Page the 10th, because he finds the Word *Necessity* there: The Words are these, *Only this Maxim in general I presume may be establish'd for the Safety, Tranquillity and Support of all Governments; that no Innovation whatsoever should be allowed in the Fundamental Constitution of any State, without a very pressing, nay, unavoidable Necessity of it.* But if the Doctor had but read to the End of the Sentence, he would have found *Doctor Sacheverell* condemns all that bore a Part in the Revolution, before a Law was made about it: The Words that follow are these, *And whosoever singly,*

or in a private Capacity should attempt it, is guilty of the highest Misdemeanor, and is an Enemy to that Politick Body of which he is a Member. And if that Sentence respects the Revolution, then Doctor Sacheverell condemns all from the highest to the lowest, who, in their private Capacity, joined with the Prince of Orange, or assisted in bringing about the Revolution. This is the Thing he is now charged with; not condemning the Revolution as a Thing settled by Law, but the Necessary Means used to bring it about. But if the Doctor instructed his Council to insinuate, that there was any Innovation in the Constitution wrought by the Revolution, it is an Addition to his Crime. The Revolution did not introduce any Innovation; it was a Restoration of the ancient Fundamental Constitution of the Kingdom, and giving it its proper Force and Energy.

Indeed, all the other Council differ'd from that Learned Civilian, and maintain'd, that Doctor Sacheverell did not, nay, ought not, to make any Exception; and one of 'em said, if Clergymen, instead of preaching up the general Rule of Obedience, were permitted to state the several excepted Cases, such Exceptions would in time devour all Allegiance. My Lords, If the Doctor had pretended to have stated the particular Bounds and Limits of Non-Resistance, and told the People in what Cases they might, or might not resist, he would have been much to blame; nor was one Word said in the Articles, or by the Managers, as if that was expected from him: but on the contrary, we have insisted, that in no Case can Resistance be lawful, but in Case of extreme Necessity, and where the Constitution can't otherwise be preserv'd, and such Necessity ought to be plain and obvious to the Sense and Judgment of the whole Nation; and this was the Case at the Revolution. And there is no Difference between a Divine's mooted and putting Cases of lawful Resistance, and excepting the Resistance at the Revolution out of the general Rule of the Illegality of Resistance, on a Day, when he was oblig'd not only to commemorate the Revolution, but the Resistance, the necessary Means used to bring it about, as appears by the Service appointed for that Day?

And, my Lords, Is a House of Commons, who are vindicating that Revolution only, to be represented as if we were calling upon Divines to state the Cases wherein Resistance is lawful, and wherein not? A Task unfit for any one, and more especially for them to meddle with: And are we, by such Suggestions as these, to be defam'd and insulted, and represented as promoting Anarchy and Confusion?

My Lords, There can be no Order or Regularity, if the Constitution, the beautiful Frame of a Legal Monarchy, which this Nation hath so long enjoy'd and prosper'd withal, be destroy'd or given up. What Inclination has the present Age shewn to submit to Arbitrary Power; or rather, what hath been wanting in it to shew the contrary?

But I go on, my Lords, to consider an Argument made use of by another of the Doctor's Council, That it was needless for him to except the Case of the Revolution, for that was known to every body, and had often been approv'd by the Legislature. I beseech your Lordships, Could the Doctor know this, and not only not except that Case, on a Day appointed to give solemn Thanks for it, but introduce it for no purpose but to leave it under the Condemnation of the General Rule of Non-Resistance?

And by this Method the Doctor has brought his General Rule to bear upon the particular Case of the Revolution. For he takes but one way of acquitting the Revolution, which is by laying down that for Truth, which every Man knows to be false; and they that assert this Truth, he says, *cast black and odious Colours on the late King and the Revolution*: Which makes out that *Dr. Sacheverell doth suggest and maintain, that to impute Resistance to the Revolution, is to cast black and odious Colours on his late Majesty and the Revolution.*

I am sensible how tedious I must have been in this nice tracing the Answers given by the Doctor's Council to our Proofs of this first Article; but because the Judgment of the Case will depend very much upon it, I am sure I shall have your Lordships Pardon.

And now, my Lords, What a Representation is here of that Glorious Transaction, the late happy Revolution! The Part the Subject had in it, is represented as contradicting the express Command of God in Scripture, and destructive of all Governments: his late Majesty is represented as encouraging this pernicious Wickedness, and disowning it at the same time: Give me Leave therefore, on behalf of the Nation, and the Memory of his late Majesty, its Deliverer, to state this Affair shortly, and in another Light to your Lordships.

The Subjects resisted, the late King join'd his Army with the Arms of Resistance; and if the Nation at that time had not had Recourse to that Remedy, how abject and how miserable must they have been! If we look into the Histories of other Countries, Have not the best and happiest Nations been most tenacious of their Liberties? And while they have continu'd so, and withstood Absolute Power, they have been prosperous at home, and considerable abroad: But when they have fallen from this Zeal, and Industry, which is the Foundation of their Prosperity at home, and Magnanimity, which makes them considerable abroad, have deserted them, they have sunk into Sloth and Effeminacy. Can any one therefore, with any Colour, say, That Resistance, in Cases of extreme Necessity, has worse Consequences than unlimited Subjection?

Let us now turn our Eyes a little on the Part our late King had in the Revolution. Did he not undertake a most hazardous Enterprize, to procure us Happiness at home, and to give us that Weight abroad, which this Nation had long enjoy'd, but at that Time was deprived of? And with what Care and Anxiety, even to the last Moment of his Life, did he labour to secure these Blessings to us!

Let us look beyond his Time, and since, for the Sense of the Nation upon this Point. What Satisfaction did the Nation take, in the Assistance his renowned Predecessor (Queen Elizabeth) gave to the oppressed Provinces, our then Good Neighbours, and our now Potent Allies? How zealously did the Nation promote the Assistance King James the First gave to the injured Prince Palatine, against the Emperor his Superior Lord? And what Resolution and tender Concern for the persecuted *Rochellers*, did King Charles the First shew and express? And has not Her Majesty assisted the *Spaniards*, against a Prince acknowledged by them, and seated on the Throne? Nor did Her Goodness, which is as extensive as Her Power, overlook the poor Estate of the People in the *Cevennes*, or neglect to give them all possible Assistance, against their King exercising a cruel Dominion over them.

These,

These, and many more Instances which might be fetched from other Countries, are so many Authorities against this Doctrine of unlimited Non-Resistance.

And now, my Lords, I come to consider the Authority the Doctor pretends to have for it: His Council say, They have Acts of Parliament for this Doctrine; I shall not mention the particular Acts, because they are well known, but consider them under Three Heads. First, Those Acts that were before the Restoration. Secondly, Those after the Restoration, and before the Revolution. And, Thirdly, Those after the Revolution.

My Lords, As to those before the Restoration, I readily admit they condemn Resistance generally; they don't mention any Exception. The Council of the other Side have furnish'd me with an Answer to 'em: They say, These, and all other Laws, have an Exception imply'd in them. The Wisdom of the Law, in not expressing the Exception, is plain: It is neither decent, nor probably would have a good Effect, to put odious Cases, such as a Prince's Overturning the Constitution. The Roman Law did not provide against Parricide, nor doth the English Law neither; since it hath no distinct Punishment for that kind of Murder, tho' it hath some for others, which are called Petty Treasons. Laws are framed upon a View of ordinary and common Cases: *Ad ea quæ frequentius accidunt jura adaptantur*, is a known Maxim, and of great use in the Exposition of Laws. And if our Legislators had been ask'd the Question, Whether they meant by those Laws to make all other Laws, and even those Laws themselves of no Validity? (Which, if Absolute Power cannot be withstood, would be the certain Consequence;) Would not they have answer'd, Nothing was farther from their Thoughts? And if it be *Maledicta Expositio quæ corrumpit Textum*, apply'd to any particular Law; what a cursed Exposition must that be, which corrupts, or rather annuls the Text of all the Laws at once?

My Lords, The next Head of Acts, are those after the Restoration, and before the Revolution. I do admit those Laws go farther than the former, and seem to condemn all Resistance, and in such Terms, as to exclude any Exception whatsoever. My Lords, What I have said relating to the former Laws, may be apply'd to these. But further, I desire it may be considered, these Legislators were guarding against the Consequences of those Pernicious and Antimonarchical Principles, which had been broached a little before in this Nation; and those large Declarations in Favour of *Non-Resistance*, were made to encounter, or obviate the Mischief of those Principles; as appears by the Preamble to the fullest of those Acts, which is the *Militia Act*, in the 13th and 14th of King Charles the Second. The Words of that Act are these: *And during the late Usurped Governments, many Evil and Rebellious Principles have been instilled into the Minds of the People of this Kingdom, which may break forth, unless prevented, to the Disturbance of the Peace and Quiet thereof: Be it therefore Enacted, &c.* Here your Lordships may see the Reason that inclined those Legislators to express themselves in such a manner against Resistance: They had seen the Regal Rights swallowed up, under the Pretence of Popular ones; and it is no Imputation on them, that they did not then foresee a quite different Case, as was that of the Revolution; where, under the Pretence of Regal Authority, a total Subversion of the Rights of the Subject was

advanced, and in a manner effected. And this may serve to shew, that it was not the Design of those Legislators to condemn Resistance, in a Case of Absolute Necessity, for preserving the Constitution, when they were guarding against Principles which had so lately destroy'd it.

But now, my Lords, let us see how the Laws run after the Revolution. Your Lordships will find, that the Resistance at the Revolution is not only approved of in express Terms, by the Act for preventing vexatious Suits; and indeed, every Act passed since the Revolution, is an implicit Approbation of it; but the Declaration of the Unlawfulness of taking Arms against the King on any Pretence whatsoever, (required to be taken by the Corporation-Act, the Militia-Act, and the Act of Uniformity,) is now repealed. There was another Act mentioned by one of the Doctor's Council, the Act for regulating Select Vestries: That Act expired in King Charles the Second's Time, and was never continued. The first Gentleman that spoke for the Doctor, said, in Answer to the Repeal of this Declaration, by a Clause in the Act of the First of King William and Queen Mary, for abrogating the old Oaths, and appointing new ones; that it is a very tender Repeal, if it be one. I did not, my Lords, well understand his Meaning; but I am sure, that is a very tender Answer, if it be any at all. My Lords, if it be thought that this Declaration, as it is enjoined by the Corporation-Act, is not repealed, because the Corporation-Act is not particularly mentioned in the Clause of the Act of the First of King William and Queen Mary, which repeals the Declaration; I answer, After the Militia-Act, and the Act of Uniformity are mentioned, there follow general Words; *Any Law or Statute to the contrary notwithstanding*: And this repeals the Declaration as to that Act, as well as to the other Two Acts. And this Opinion has prevailed universally; and if it were otherwise, there is scarce a Corporation in England, but would be dissolved by the Incapacity of their Members.

But the same Council argued, That the Doctrine mentioned in that Declaration must be the true Doctrine, or the Declaration would not have been enjoined and taken so long as it was; and the Repeal don't make the Proposition false: and we might as well argue the *Solemn League and Covenant* to be a Lawful Oath. My Lords, As to the Declaration against the Covenant, that was considered as a Temporary Thing only, and, by the Act of Uniformity, was to cease upon the 25th of March, 1682. and therefore not at all to be compared with the other Declaration, which was intended to be perpetual. As to the Truth of the Doctrine in this Declaration which was repealed, I'll admit it to be as true as the Doctor's Council assert it; that is, with an Exception of Cases of Necessity; and it was not repealed because it was false, understanding it with that Restriction; but it was repealed, because it might be interpreted in an unconfined Sense, and exclusive of that Restriction; and being so understood, would reflect on the Justice of the Revolution: And this the Legislature had at Heart, and were very jealous of; and by this Repeal of that Declaration, gave a Parliamentary, or Legislative Admonition, against asserting this Doctrine of Non-Resistance in an unlimited Sense.

My Lords, I must confess, I did not expect to hear the Association and the Abjuration-Oath brought in as asserting this Doctrine; if they do, this may serve to account for their taking them who believe

that Doctrine, which otherwise perhaps they would be at a loss to find an honest Reason for. But, my Lords, Doth engaging to stand by, and assist one another against all the King's Enemies, or swearing to defend the King or Queen against all Traitorous Conspiracies, signify any more than what is implied in the old Oath of Allegiance? There is, my Lords, indeed something more in the Association and Abjuration-Oath; for the Person taking them in his late Majesty's Time, declared, That he believed in his Conscience King *William* was Rightful and Lawful King of this Realm. This certainly put the Conscientious Taker of 'em upon a Consideration, of the Foundation on which that Right and Title was built. And since there was no Foundation for it but the Revolution, and that Revolution was founded on Resistance; how those could bring themselves up to take that Association, or that Abjuration-Oath, who believed that Resistance unlawful, I am at a loss to know.

My Lords, Upon this Head of these several Acts of Parliament that have been mentioned, I beg leave to observe, That as it is not to be supposed it was the Original Intention of any Laws to enervate the Force of all the Laws, so your Lordships see, there are since the Revolution Laws that do exclude any such Supposition, and do affirm that indefeasible Inheritance which the People have in the Laws.

My Lords, the next Part of the Evidence offered by the Doctor, was the Homilies; which are said to be confirmed by Act of Parliament, because the Articles of the Church of *England* are so; and the thirty fifth Article approves the Homilies, as containing Godly and wholesome Doctrine; and the Clergy are oblig'd to read and subscribe those Articles.

My Lords, I believe it will be admitted, that no more is intended by that Subscription, but that the Doctrine contained in the Homilies is right in the main, and not that every Sentence in 'em is so: For in this last Sense, I believe, never any Divine subscribed the Articles; and it will be hard to name any Preacher, or Writer of Note, who has not contradicted some Passage or other in them: Nay, as to one, the general and approved Practice of the Church is against it; I mean that Passage, which condemns the Use of Organs in Churches.

And surely, my Lords, the Sense of the Homilies can't be found out, by reading select Passages out of them, (as was done in the Doctor's Defence) but by observing the Frame and Tendency of the whole: And I may appeal to your Lordships, and especially to my Lords the Bishops, whether those who compiled the Homilies against Rebellion, seem'd to have had at all under their Consideration the Case of a total Subversion of the Constitution. It's plain, the main Design of those Homilies was against the Risings of the Popish Faction, and the plausible and popular Pretences made use of by them for supporting their Rebellions. Did not that great Queen, in whose Time the latter Book of Homilies was compiled, explain Her own Opinion on this Point, by the Assistance she gave to the *Hollanders* against the *Spanish* King, their Sovereign? Did not the Parliament explain Themselves, by the Supplies given to the Queen for that Purpose? And did not the Clergy explain Themselves likewise, by the Supplies granted in Convocation, in Favour of that Assistance? Can it therefore be imagined, the Homilies intended to condemn that Resistance, which the Queen and the whole Nation, nay, even the Clergy themselves assembled in Convocation, approved of? And I dare

say, if Doctor *Sacheverell* had read any of the Homilies against Rebellion, which he says he is commanded to do, if there be no Sermon on the fifth of *November*; I say, if he had read any one of them to his Congregation at *St. Paul's*, not one of his Auditors would have thought the Revolution condemned by the Homily, whatever they might have thought of the Doctor.

My Lords, That which we accuse him for, is, That he lays down this general Doctrine of Non-Resistance, in Terms exclusive of any Exception; and, not content with that, points out the Revolution, for Men to compare it with, and condemn it by. How much better would it have become the Doctor, to have imitated that Zeal which appears in the Compilers of those Homilies, for a Protestant Queen against a Popish Faction, than to arraign the Revolution, upon the defaming of which, the Hopes of a Popish Faction against a Protestant Queen are built?

My Lords, I let us now consider the other Books, or Writings, the Doctor has produced to justify his Doctrine: These are chiefly, if not all of them, the Labours of Divines; and I will place them in these two Classes, Those before the Revolution, and those since. And, my Lords, I will say, If this Question of Submission were left by the Divines, to those who make the Municipal Laws of their Country, or the Nature of Laws in general, their Study; and they would confine themselves to the pressing a Legal Submission only, founded (as it is by the Law of *England*) on common Consent, and common Good; it would be much more for the Honour of Religion, and the Peace and Felicity both of the Sovereign and the Subject.

And this will be very manifest, if your Lordships call to mind but two of the Doctor's Quotations before the Revolution, which were read to your Lordships: The one is a Passage out of Bishop *Sanderfon*, the other the *Oxford* Decree in 1683.

My Lords, Bishop *Sanderfon* (and he only of all that have been quoted) has put the Case of Resistance for the Preservation of Church and State, which are but other Words for the Constitution; and has delivered this Doctrine of Non-Resistance in such unlimited and bold Terms, as I shall not repeat, to create a second Displeasure in this great Assembly. And I willingly admit, he was a very learned, judicious, and pious Prelate: And if so great and good a Man fell into such indiscreet, indecent and shocking Expressions on that Subject, as did visibly affect such an Assembly as this, one would think it should discourage others from delivering that Doctrine in such a Latitude.

The next is the *Oxford* Decree, which condemns all Resistance whatsoever: But, my Lords, it is observable, that in the same Decree, there is a Condemnation of this Proposition that I am going to read to your Lordships; *That it is lawful to preclude the next Heir from his Right and Succession to the Crown*: And yet at the same Time, the condemning this Proposition, that is, the *holding, affirming, or maintaining* the contrary Proposition, was (by the 13th *Eliz. Cap. 1*) made High Treason in her Time, and a Forfeiture of Goods and Chattels ever after. And how the Law now stands as to that Particular, by the *Act for securing her Majesty's Person and Government, and the Succession of the Crown of Great Britain in the Protestant Line*, every one knows. And, my Lords, when we find so great and learned a Body criminally erring in a Point so Fundamental, and upon which our Prospect of Happiness to future

ture Ages doth, under God, depend; ought it not to discourage particular Divines, from pretending to determine Points of Law and Policy? For my own Part, I should hope, that that University's having fallen in at first so heartily with the Revolution, is as sincere a Condemnation of the Doctrine of unlimited Non-Resistance, as their solemn taking the Abjuration-Oath is a publick Profession that a Parliamentary Exclusion is lawful.

As for all the Passages which have been read to your Lordships out of the Books or Sermons of Divines before the Revolution, in Favour of Non-Resistance, your Lordships may observe their Reasons reach only so far, as when the Mischief is not Universal; or if it be Universal, where it is tolerable, and not so mischievous as a Civil War. I shall not mention any Passages in them, (which have not been read) to limit the Generality of the Expressions concerning Non-Resistance; because I avoid bringing in any Thing, which hath not been given in Evidence. But how candid the Doctor's Collections have been, your Lordships may judge by that Quotation out of my Lord Bishop of Salisbury's Book, where there is an express Exception of the Case of subverting Fundamentals: But your Lordships may see the same Candor shining out in several Passages of the Doctor's Sermon, with respect to that Reverend Prelate, whose Services, my Lords, (before, and at the Time of the Revolution) will never be forgotten by one Part of the Nation, nor forgiven by another.

My Lords, I now come to the Sermons and Writings since the Revolution: And I may appeal to your Lordships, whether they don't most plainly condemn the Doctor; those, I mean, where we had the Fortune to be ready to call for other Passages to be read out of the same Book. Does not my Lord Bishop of Lincoln expressly mention the Case of the Revolution, and justify the Resistance then used? How carefully does his Grace the Archbishop of York limit this Doctrine of Passive Obedience, which the Doctor says ought to be deliver'd in the most unconfined Terms? And it is by his Grace's Notion of this Doctrine, that the Commons desire this Cause may be judged and determined. I beg Leave to read again to your Lordships his remarkable Words: *Care must be taken, that this general Doctrine be not misapplied in particular Countries. Though Non-Resistance or Passive Obedience be a Duty to all Subjects, and under all Governments, yet it is not expressed the same Way in all Places; but both the Objects and the Instances of it do vary in different Nations, according to the different Models of their Government. To speak this as plainly as I can: As the Laws of the Land are the Measures of our active Obedience, so are also the same Laws the Measure of our Submission. And as we are not bound to obey, but where the Laws and Constitution require our Obedience; so neither are we bound to submit, but as the Laws and Constitution do require our Submission.*

This, my Lords, is the Doctrine the Commons are maintaining, and are calling this Criminal to an Account for contradicting. If our Obedience and Submission is not to be extended to the Prejudice of the Constitution, the Resistance at the Revolution, for preserving the Constitution, stands justified, and the Doctor's unlimited Doctrine of Non-Resistance stands condemned.

How prudently does his Grace, my Lords, caution the Doctor, and the rest of the Clergy, in another Part of his Sermon, by these Words? *If,*

indeed, a Preacher should in the Pulpit presume to give his Judgment about the Management of publick Affairs, or to lay down Doctrines (as from Christ) about the Forms and Models of Kingdoms or Commonwealths, or to adjust the Limits of the Prerogative of the Prince, or of the Liberties of the Subject in our present Government: I say, if a Divine should meddle with such Matters in his Sermon, I do not know how he can be excused from the just Censure of meddling with Things that nothing concern him. This is indeed a practising in State Matters, and is usurping an Office that belongs to another Profession, and to Men of another Character. And I should account it every whit as undecent in a Clergyman, to take upon him to deal in these Points, as it would be for him to determine Titles of Lands in the Pulpit, which are in Dispute in Westminster-Hall. And how well the Doctor has observ'd this necessary Caution laid down by his Grace, I leave your Lordships to consider.

My Lords, I have purposely omitted taking notice of any Writings, except such as were produced by the Doctor, and I am satisfied how superficially I have considered them: But, in general, I may appeal to your Lordships, whether in the lowest Ebb of Liberty, there have been wanting those in this as well as other Countries, who have denied this slavish Doctrine of unlimited Non-Resistance; whether since the Revolution this Nation has been so ungrateful to their Deliverer, or unthankful for their Deliverance, as to want those who have maintain'd the Principles of the Revolution, and have shew'd them to be as agreeable to the Christian Religion, as they are to the Nature of that excellent Government we live under, which is that of limited Monarchy.

And yet notwithstanding the unanswer'd Performances of divers, both of the Clergy and Laity, upon this Subject, the Doctor has the Boldness to affirm his Doctrine to be the Doctrine of our Blessed Saviour and his Apostles.

My Lords, I can't mention this, without the deepest Concern for the Honour of the Christian Religion. I beseech your Lordships, What is Liberty but Justice, and what is Justice, but doing to every one as we would be done by? And nothing, I think, is likelier to promote the Practice of this Christian Precept, than spreading a true Sense and Love of Liberty, that Principle which casts out of us a narrow Regard to ourselves, and introduces a diffusive Benevolence to others.

And against this Principle it is, that the Doctor has offended.

My Lords, I have endeavour'd to shew that the Charge in the First Article stands prov'd against the Doctor, and that this Proof remains unanswer'd; and if so, his being a Minister of the Gospel, his having taken the Oaths to the late King, and to Her present Majesty, his being a Fellow of that College which was in a particular manner delivered by the Revolution, are all of them Aggravations of his Offence, (if it can be aggravated;) and which, if prov'd, his own Council admits, brings a foul Imputation on Her Majesty and Her Government, makes Her Government an Usurpation, and her Subjects Rebels; and that no Punishment can be too great for him.

My Lords, I never saw that Criminal for whom I had not a hearty Compassion, but there is both Compassion and Justice due to the injur'd Innocent. Your Lordships have before you on the one hand, the Care and Concern of Doctor Sacheverell; on the other, the Honour and Prosperity of a wife and

brave