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L E T T E R

To a Member of the Convention.

Hear you are elected a Member of this next Convention, and therefore expect to see you very suddenly in Town, but I can tell you my mind more freely in Writing, and you may think better of it when you see it before you, and therefore I have rather chose to give you the trouble of this Paper, than to leave all to a personal Conference at our next meeting.

I will not dispute with you about what is past or what is to come; it is too late to do the first, and as for the second, whatever becomes of other Arguments, Interest is most apt to prevail, and therefore all that I beg of you, is to take care that you do not mistake your own for the Nations Interest in a matter of such high Concernment.

There is no less Affair before you than the Fate of Princes, and of three Kingdoms, which requires the most calm, mature, and deliberate Advice; and yet when you come to London you will find such distractions and divisions in Mens Councils, that all the threatening Danes of Popery were not a more formidable prospect to considering Men, all old Animosities revived, and new ones fomented every day; some are visibly acted by Ambition, others by Revenge; the Dissenter is very busie to undermine the Church, and the Common-wealths to subvert Monarchy, and the Lord have mercy upon us all. I doubt not, but you will freely confess, that it is the common Interest to have things settled upon such a bottom, as is most like to last; and then, I am sure, you must consult both Law and Conscience in the matter, & keep to your old establishment as near as you can: for when there are so many Distensions in Mens Minds, and such contrary Interests, it is no time to innovate, it is no time to new Foundations. when there are frequent Earthquakes, which will not give them time to settle: The Revolutions of State have been so quick and sudden of late, that all prudent men will be cautious how they try Experiments, which are commonly dangerous and uncertain, but especially in matters of Government, which depend on the good liking of free and equal Agents, and when so many Hundred Thousand are to be satisfied, you can never guess the prevailing Opinion, by the major Vote of a Convention.

Let us then consider, what is most likely to give the most general satisfaction to the Nation, that I am sure, is most likely to be lasting, and because you may be a Stranger to those matters yet, I will give you an Account of the different Projects now on foot, as well as I can in them.

Some are for sending to the King, and treating with him to return to his Government; or such legal restraints, as shall give security to the most jealous Persons, for the preservation of their Liberties, Laws, and Religion; and if he will consent to this, to make the late Heir Regent: Others are for declaring the Crown forfeited or demised, and proclaiming the Princess of Orange; Others will have the Government dissolved, and begin all de novo, and make the Prince of Orange King, or crown him and the Princess together, and possess the Title of the Princess Anne, till after the Princess Death, if he survive the Princess. I shall pretend to tell you, which of these I should prefer, were it *res integra*; for the question

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is not, which you and I should like best, but which will be the firmest Foundation for the peace and settlement of these Kingdoms.

1. As for the first, though it be horribly decried, and such Men foolishly expos'd as Friends to popery and Arbitrary power; yet I could never meet with any Man yet, who had the face to reject all Treaty with the King upon any other pretence, but that it was in vain, that it is impossible he should give any Security to the Nation, that he would govern by Law; which is so ridiculous a pretence, that it will satisfy no body, but those who are resolv'd, that he shall never return. For, as little as I am vers'd in this matter, I could frame such Laws, as should put it utterly out of the King's power to invade our Liberties or Religion: However, I am sure, we should have thought our selves very secure, would the King have call'd a *Free Parliament*, and given them liberty to have made what Laws they pleas'd, and that which would have given such general satisfaction before, had it been granted, I suspect, should it be now granted, and refus'd, that would give a general dissatisfaction: nay the very refusal to treat, will be thought such a scandalous neglect of our Duty to a Sovereign Prince, and give such Jealousies to people, that those who oppos'd it, are only afraid, that the King should comply, as will be the Foundation of universal Discontents, which will shew themselves upon the first occasion. It is certain, would the *Convention* treat with the King, either they would agree, or they would not agree; If they could not agree upon the proposal of Reasonable Securities; this would satisfy multitudes of people, that they had tried if they did agree, this would give universal satisfaction, and there were an happy end of all our Troubles.

But now let us suppose, that part of the *Convention* should prevail, which is against treating with the King, and for deposing or setting him aside without more ado, let us consider what is like to be the most probable consequence of this.

It is certain, this fundamental Change in the Government cannot be made by any legal Authority; for the *Convention* will not pretend to any such legal power, and there can be no Parliament without a King; and a King, whose whole Authority depends upon a *Convention*, that has no such Authority, is but in a weak State, as to Civil Right; No man will think himself bound in Conscience to obey him, and when every Mans Conscience is free, let such a Prince beware of Epidemical Discontents. And let you and I calmly consider, what Discontents may probably arise upon such a juncture.

1. First then, all those who think themselves bound by their Oath of Allegiance to defend the Kings person, his Crown, and dignity, who wonder at men of Law, who talk of a forfeiture or demise of the Crown, while the King lives, and flies out of his Kingdoms, only for the safety of his person, and because he will not trust himself in the power of his Enemies; I say, all such persons will be greatly discontented at deposing the King, and will never own any other King, while their own King, to whom they have sworn Allegiance, lives; and who you should suppose such conscientious Men to be very few, yet if these few should happen to be Persons of Character, of known prudence and Abilities, Integrity and Honesty, in Church or State, their Examples, would give a terrible shock to such a new tottering Government, tho they were never so tame and peaceable, void of Faction and Sedition themselves.

And yet let me tell you, you must not judge of the Numbers of these Men by the late general defection. The whole Nation, I confess, was very unanimous for the *Prince*, great numbers of Gentlemen, nay of the Kings own Soldiers, went over to him, very few, but Papists offer'd their Service to the King, but the reason of this was very evident, not that they were willing to part with the King, and set up another in his room, but because they were horribly afraid of popery, and very desirous to see the Laws and Religion of the Na-

tion settled upon the old Foundations by a *Free Parliament*, which was all the Prince declared for; but many who were well-wishers to this Design, will not renounce their Allegiance to their King; and now they see what is like to come of it, are ashamed of what they have done, and ask God's pardon for it, and are ready to undo it as far as they can.

2. Besides a thousand occasions of Discontent which may happen in such a Change of Government as this, which no body can possibly foresee, and yet may have very fatal Consequences, there are some very visible occasions for it besides the sense of Loyalty and Conscience.

How many Discontents, think you, may arise between the Nobility and Gentry, who attend the new Court? Every Man will think he has some Merit, and expect some marks of Favour, to have his share of Honor, and Power, and profit, and yet a great many more must miss than those who succeed, and many of those, who are rewarded, may think they ha'n't their Deserts, and be discontented to see others preferred before them; and those whose expectations are disappointed, are disappointed too, and that is a dangerous thing, when there is another, and a rightful King to oblige; for Duty and Discontent together, to be revenged if a new King, and to be reconciled to an old One, will shake a Throne which has so sandy a Foundation; the like may be said of the Souldiers, who are generally Men of Honor and resentment, and have the greater and sharper Resentments now, because they are sensible of their mistake, when it is too late; yet as they ought not to have fought for Popery, nor against the Laws and Liberties of their country, so neither ought they to have deserted the defence of the Kings person and Crown, but have brought the Prince to Terms as well as the King.

Thus you easily foresee, what a heavy Tax must be laid upon the Nation, to defray the Charge of this Expedition, and I believe the Country would have paid it very cheerfully and thankfully, had the Prince restored to them their Laws and Liberties, and Religion, together with their King; but you know Men are apt to complain of every thing, when Money is to be paid, and it may be said will be thought hard to lose their King and to pay so dear for it too. And tho' what the *Convention* does is none of the Prince's fault, no more than it was his design, yet angry People don't use to distinguish so nicely.

But there is a greater difficulty still than all this: There are no Contentions so fierce as those about Religion; this gave Life and Spirit to the Prince's Design, and had the main strokes in this late Revolution: And though Popery were a hated Religion, yet most men are as Zealous for their own Religion, as they are against Popery. Those of the Church of *England* are very glad to get rid of Popery, but they will not be contented to Part with their Church into the bargain, for this would be as bad, as they could have suffered under Popery. The several Sects of Dissenters are glad to get rid of Popery also; but now they expect glorious days for themselves, and what they expect, God Almighty knows, for I am confident they don't know themselves. Now consider how difficult it will be, for any Prince, who has but a crazy Title to the immediate possession of the Crown, to adjust this matter so, as neither to disgust the Church of *England*, nor the Dissenters, and if either of them be obliged, there is a formidable party made against them.

This being the Case, should the King be deposed, and any other ascend the Throne, it will be necessary for them to keep up a standing Army to quell such Discontents; for where there are and will be Discontents without any tie of Conscience to restrain Men, there can be no defence but only in power; and this will raise and increase new Discontents; for it alters the frame of our Constitution, from a Civil to a Military Government, which is one of the great Grievances we have complained of, and I believe *English* people will not be better pleased

with Dutch, or German, or any forraign Souldiers, than they were with their own Country men; & belleveth English souldiers will not be extremely pleased to see themselves disbanded, or sent into other Countries to hazard their Lives, while their Places are taken up by Foreigners, who live in ease, plenty, and safety: And when things are come to this pass, which is so likely, that I cannot see how all the wit of man can prevent it; I will suppose but one thing more, which you will say is not unlikely, that the King return with a foreign Force to recover his Kingdoms how ready will the Men of Conscience, and the Men of Discontent be to joyn him, nay to invite him home again; and if he returns as a Conqueror, you will wish, when it is too late, that you had treated with him, and brought him back upon safe and honorable Terms.

Secondly, Let us suppose now, that all this should be overvoted (for I am sure It can never be answered) and the Convention should resolve to proclaim the next Heir.

1. You must be sure to examin well who is the next Heir, that is, you must throughly examin the Pretences of the Prince of Wales; and yet if you have not good proofs of the Imposture, you had better let it alone. For tho the Nation has had general presumptions of it, yet a Male Heir of the Crown is mightily desired, and People would be very fond of him, if they had one, and seem to expect some better proofs than mere presumptions against him, because common fame has promised a great deal more, and if you should either say nothing to it, or not what is expected, it would be a very plausible pretence for discontented people to quarrel

2. Suppose the Princess of Orange should appear to be the next Heir, what if a Lady of her eminent Virtue should scruple to sit upon her Fathers Throne, while he lives? Or what if she should scruple it hereafter, & place her Father in his Throne again? This is not impossible, for Virtue is greater than a Throne. For my part, I think you will put a very hard thing upon so excellent a Lady, and I pray God give her Grace to resist the Temptation. A Regency is more tolerable, because a Nation must be governed, and none so proper to govern it as the next Heir; but I should think, none who expect to wear a Crown, should countenance Subjects in deposing their King, nor accept of a Crown upon such Terms, as to take it off, of a Fathers Head: It is a dangerous thing for a Prince who has a Title to the Crown, to own that the Crown may be forfeited or demised by such a withdrawing; if this be not so, the Princess has no Right to the possession of the Crown yet, and if it be so, her Crown is worth a great deal less than formerly it was, especially if she own this Secret by accepting the Crown, which her Ancestors alwayes concealed, and which the best Subjects of England would not believe before; what they may do after this, I know not.

Thirdly, The next Design (I verily believe without the knowledge or thought of Prince who has too great a mind to think of any thing, which in the opinion of any Wise Man could stain and sully his Glory) is to give the Crown to the Prince of Orange, for it must be a Gift, if any thing; for he has no Immediate Title to it, that I know of: This is upon a pretence, that the Government is dissolved, and therefore we must begin *de novo*, which is very ridiculous, when the King is still alive, and the Laws in as full force as ever, only the Regular Administration of Government at present, interrupted by the Kings absence; but this is not the worst of it, for it is a dangerous pretence too, especially to Men of Quality and Estates as you are, for if the Government be dissolved, our Laws are dissolved, and honour and property dissolved with them, and then I doubt the Moble will come in for their share in the new Division of the Lands, and set-up for Men of as good Quality as any; for if our Laws are gone, we return to a state of Nature, in which all Men are equal, and all things common; this I believe you will not be for, for the Reason above-mentioned.

If then the Laws continue, the Government is not dissolved, and the Crown is not a Gift, but an Inheritance still, as much as your Estate is; and then the Prince of Orange cannot have it in his own Right, because his own Princess, and the Princess Ann are before him; consider then what the consequence of this Project would be.

1. This alters the essential Constitution of the English Government, by changing an Hereditary into an Elective Monarchy, a thing which I know some men are very fond of; for then the next occasion they can find to quarrel with their Prince, they may with as much ease turn it into a Common-wealth; For when the Crown is at the peoples disposal, they may, if they please, keep it to themselves.

2. This will entangle all men of Conscience in new Difficulties; for the Oath of Allegiance does not only bind us to the King, but to his Heirs and Successors, which must be understood of the next Lineal Heir, where there is no Authority to alter it; and whatever a Parliament may be thought to have with the Authority and consent of the King, no Man pretends, that a Convention of the Estates has any Legal Authority to do so. I should be as heartily glad as any man, to see the Prince of Orange legally Seated on the English Throne; but these are difficulties I cannot break through. Thus I have given you my hasty Thoughts, and pray God to direct you.
I am yours.

POSTSCRIPT.

There is one thing more I would beg of you, that the Story of the French League to cut Protestants Throats in England, may be well Examined; for this did more to drive the King out of the Nation, than the Princes Army; and if this should prove a Sham, as some, who pretend to know, say it is, it seems at least to be half an Argument to invite the King back again. In short, remember you are a Convention, not a Parliament, and therefore nothing can give Authority to what you do, but the good liking of the People; and as Necessity only can justify your meeting without the King's writs, so I hope you will take care to do nothing but what will justify it self to God, the King, and your Country.

An Answer of a
L E T T E R
To a Member of the
C O N V E N T I O N.

S I R,
I Thank you for choosing rather to write, than to leave all to a personal Conference in Town, since Orders from above have prevented our Meeting suddenly here, by ten Miles.
You say, you will not dispute with me about what is past, or what is to come. So I perceive, without weighing either the Causes, or Consequences of things, I am upon implicit faith obliged to your Delegates, what my own and the Nations Interest must be. But if you will not dispute, what will become of your Argument among others, that Interest is most apt to prevail: I thank you for your indisputable Argument.
I am come to London, and find no distractions nor divisions in mens Counsels, the threatening

dangers of Popery are daily a less formidable prospect to considering men, since old Animosities are buried, and new ones suppress'd, since men are neither act'd by ambition nor revenge, the Dissenter being ready to support the Church, and the Commonwealths man to maintain Monarchy; so merciful has the Lord been to us all.

I readily confess it is the Common Interest to have things settled upon such a bottom as is most likely to last; and I will consult Law and Conscience in the matter. And since much depends upon the good liking of free and moral Agents, and so many hundred thousands are to be satisfied, waving your Dangerous and uncertain Experiment, I cannot guess better at the prevailing Opinion, than by the major Vote of a Convention, which I much prefer to your privat Opinion.

Of the different projects, which you say are now on foot, viz. To send for the King, and Treat with him to return to the Government under Restraints, and if he will not consent to this, to make the next Heir Regent; to declare the Crown forfeited or demisd, and proclaim the Princesses of Orange; To declare the Government Dissolved, and begin all de novo, and make the Prince of Orange King, or Crown him and the Princess together, and postpone the Title of the Princess Ann, till after the Princess death, if he survive the Princess: You think the first will be the firmest Foundation for the Peace and Settlement of these Nations.

This, I tell you, is horribly decried, and all men of the Opinion may reasonably be expos'd as Friends to Popery and Arbitrary Power. And till you tell me what the Laws are you could frame, which should put it utterly out of the Kings power to invade our Liberties or Religion, I take all Treaty with the King to be in vain, it being impossible he should give any security to the Nation, that he would Govern by Law, except Faith be to be kept with Hereticks. Then I am sure the refusal of a Treaty can be no foundation of those Universal Discontents you talk of, except by universal you mean Catholick, which shew themselves without occasion. However, multitudes of People are oblig'd to you for their satisfaction, when having once burnt their Fingers, you advise men for experiment of a Cure, to put them into the fire again.

Where you call the supplying the Throne, a Fundamental change in the Government, you take, I doubt, the Tradition of the Twelve Judges, for equal Authority with the Letter of the Twelve Tables, not considering, that the Government is founded upon the Office of a King, and upon the legal Administration of it, not upon any one mans person, (otherwise his death would Dissolve the Government.) What Fundamental change in the Government then can there be, that the Executive Power of the Law, which the King would not Administer, be committed to a person who will put the Laws in Execution? If you question the Legality of the power of a Convention of the Estates of a Kingdom to Transfer this high Trust, because violated, to one who will inviolably conserve it; I must tell you, when the Prerogative is crack'd, we are under Obligation to the Priviledges of the People, which, if you dispute, you may have a fair hearing in this Convention. But first read Edward the Second's and Richard the Second's case, who were both deposed by the People for Male Administration, and their next Successors were held to be Lawful Kings, when confirm'd by Acts of Parliament of their own signing. And Sir, King Charles the Second taught the Legality of the Fact, when he approved of the Depositing his Brother in Law of Portugal, by his own Subjects, and the placing the younger Brother upon the Throne.

I. Then Heed or Swear as many Oaths of Allegiance as you please, this will not save the forfeiture or demise of your Masters Crown, who is flid out of his Kingdoms, for something more than the safety of his Person. But to be plain with you, under an apprehension that our Religion and Laws were utterly to be subverted, I was one that lov'd the Prince of Orange

over to maintain them : When his Highness came, I entered into an Association to maintain them, and preserve him to my power. If then, Interest (as you advertise) must prevail, I desire you to give me better security for Religion and Liberty in general, and to do me favour more for your Friend in particular (i. e.) to procure a huge long pardon for any thing that Arbitrary Power can interpret either High Treason or Misdemeanor. Do this, and have at you, But

2. When you write next, be so kind as to shew me one of those thousand occasions of Discontent, which no body can possibly foresee.

You forebode Discontents in the new Court about preferments. To please the good and bad, is not an Attribute of the Almighty, much less then is it in the power of any of his Servants to please all. But in that Court where Preferments are disposed according to merit, not money, no man of Honour, or any Worth, can have reason to resent the rewarding of the Virtuous. This then, you mean, may be an occasion of Discontent, which no body can possibly foresee.

Oh ! But you foresee a Tax. And, I am willing to defray the Charge of this Expedition, and will pay my proportion very cheerfully and thankfully to the Prince for restoring to us our Religion, Laws and Liberties. But what's all this to you ? Your Maxim is, No King, no Money.

But there is a greater difficulty than all this : No King, no Bishop : How fairly do you intimate, that while those of the Church of England are getting rid of Popery, they must part with their Church into the Bargain ? The several Sects of Dissenters are glad to get rid of Popery also.

By your own confession they are agreed against Popery ; when then think you will they agree to recal the King ? As for the formidable Parties of Church-men, and Dissenters, which you conjure up in Battalia, one against another, they must yet Pass for things which no body can possibly foresee. And by the next return of the Carrier, I pray send me your Prospective, by help of which you took a view of the standing Army you fright us with. But tell me also, when the Couqueror comes.

Secondly, I suppose this will be overvoted, (I am sure it is answered, you have engaged not to Dispute with me about what is past, or what is to come) and whomsoever the Convention resolve to proclaim.

1. You may be sure they will thoroughly Examine the pretences of the Prince of Wales, How fond soever your people may be of such a male Heir to the Crown, and how well soever you have instructed common fame to speak of him ; with the Dependents good leave, his Title must submit to a *Virilius inquirendum*. And the notoriety of his Birth is so evident, that why any intelligent man should be discontented at his preerption, no body can possibly foresee.

2. Supposing the Princess of Orange should appear to be the next Heir, you Address her as a Woman, in Terms of Religion. You Catechize her, would not she scruple to sit upon her Fathers Throne, while he lives ? If she do not now, may she not hereafter ? O Virtue ! Virtue ! You pray for (and for my part, I think you put a very hard thing upon) so excellent a Lady, that she may not be Queen, you pray God give her grace to resist the Temptation. Your Creed, or the sum of your Law, and your Prophets, is Passive Obedience, and Non-resistance. This, I perceive, is your Politick Liturgy ; and your Book of Rates, for Crowns and Subjects is calculated accordingly.

Thirdly, After all your Compliments to the Prince of Orange, that a Crown would stain his Glory. Let me tell you, Crowns were never made but for Heads that know how to wear them. To such as know not, we find them a dishonour ; but to wise and good men a glory : And is it not ridiculous in you to plead Law in favour of those who have been manifest subverters.

writers of all Law? Let those that are aggrieved, appear before the Convention, and I assure them of Law, without any *non obstante* from the Prince or his Adherents. In vain then are all your Complaints of breach of Law

If you cannot stir up the whole Kingdom to Discontent upon *occasions not possible to be foreseen*, but by your Directions; yet you would fain give Interruption to the Union of the Royal Family. As if you knew the Interest of the Prince and the Princess of *Denmark* better than themselves, when they quitted their Fathers's Interest for their Brother's the Prince of *Orange*. I admire your confidence in questioning the Legal Authority of a Convention of the Estates, when you may live to see their Acts legally confirmed by that very King, who by their power is so constituted: For if a King *de facto* be a King *de jure*, as by our Law he is, take care your questioning Legal Authority be not accounted to you for Treason.

An Answer to the Postscript.

You say, if the Story of the French League to cut Protestant Throats, upon due Examination should prove a sham: because this did more to drive the King out of the Nation, than the Prince's Army, it seems at least half an Argument to invite the King back again. But business must not be done by halves: You may remember Monsieur d'Avaux not many months ago, did in his Memorial to the States General, assure them of the strictest Alliances between the French King and ours, which is a full whole argument for it. And the late interview of those two Kings at Paris, makes a publick show to the world of an intimate understanding between them; there is another, and if you consider it, a swindler. Thus at Argument, I have outleap'd you two lengths and an half, never to invite the King back again. I know we are a Convention, we have Authority and the good liking of the People: so I hope we shall take care to do nothing but what will justify it self to God and our Country. As for the King, he being a Party, God Almighty will judge between us; but if ever he be invited to England by me, you shall have the honour of carrying the Message.

With Allowance.

I am Yours.

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