



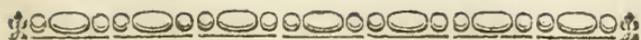
SPECIAL
COLLECTIONS
DOUGLAS
LIBRARY



QUEEN'S UNIVERSITY
AT KINGSTON

KINGSTON ONTARIO CANADA

Handwritten text, possibly a library stamp or date, is visible at the top of the page.



THE
DISPUTE adjusted,
ABOUT THE
PROPER TIME

Of applying for a REPEAL of the
Corporation and Test Acts, &c.

[Price Three Pence.]



Handwritten signature or initials, possibly 'M. C.', are visible at the bottom left of the page.

THE
LIBRARY OF THE
MUSEUM OF COMPARATIVE ZOOLOGY
AND ANATOMY
HARVARD UNIVERSITY
CAMBRIDGE, MASS.

THE
DISPUTE adjusted,
ABOUT THE
PROPER TIME

Of applying for a

REPEAL

OF THE

Corporation and Test Acts :

By Shewing,

That *No Time* is proper.

L O N D O N :

Printed for *J. Roberts* in *Warwick-*
Lane. 1732.

AC911.1732.G52

THE UNIVERSITY OF CHICAGO

LIBRARY

PHYSICS DEPARTMENT

CHICAGO, ILL.

RECEIVED

APR 19 1952

PHYSICS DEPARTMENT

CHICAGO, ILL.

LIBRARY

APR 19 1952

PHYSICS DEPARTMENT



THE
DISPUTE adjusted,
ABOUT THE
PROPER TIME, &c.



HERE is now a warm Controversy among the Dissenters, about the most *Proper Time* to attempt a Repeal of the Corporation and Test Acts; whether at the Conclusion of an old Parliament, or the Beginning of a new. I leave them to debate and determin that Point among themselves; but as the Cause is still depending, I beg Leave to make myself

so far a Party to it, as to offer a few Reasons why I think *No Time* at all is proper.

It will not be denied by either of the contending Parties, that those two Acts were designed for the Security and Support of the Establish'd Constitution in Church and State. The Corporation-Act, in particular, was levelled wholly against the Dissenters ; and though the Test Act had a more immediate Eye to the Papiſts, and the Dissenters insist upon it as great Merit on their Part that they did not oppose it ; upon some Encouragement given, as they pretend, to be relieved from the Penalties of it one Time or another ; yet when their Case came under a solemn Deliberation in Parliament immediately after the Revolution, and a Toleration was granted them, the Legislature was so far from *Exempting*, that they expressly *Included* them in the Disabilities and Penalties of the Test Act. This appears from the Act of Toleration ; which having enumerated several Laws against Papiſts that shall

shall not thenceforth be construed to extend to Dissenters ; adds, *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, entituled, An Act for preventing Dangers which may happen from Popish Recusants ;* the same that we commonly call the *Test Act*.

In the latter End of Queen *Anne's* Reign, An Act was passed against *Occasional Conformists* ; by which Dissenters who should qualify themselves for Offices according to the *Test Act*, were restrained from going to Conventicles as long as they continued in those Offices. But this was repealed in the Beginning of the next Reign, upon these Considerations (as we may suppose) among others, That by receiving the Sacrament according to the Church of *England*, they did all that the *Test Act* requires ; That such receiving it was an Evidence that though they liked their own Way better, they did not think our's unlawful ; That the
Act

Act of Toleration could not be supposed to leave them in a worse Condition, in any Respect, than it found them ; and That they might have no pretence to say, that they did not enjoy their Toleration *to the full*. Whereas the *present Attempt* to repeal the Corporation and Test Acts, is to let those into Places of Power and Trust, who think the Service of the Church of *England* to be *sinful*; and who, in Consequence have not only a rooted Aversion to it, but think themselves bound in Conscience to do all that is in their Power to abolish it. It has been made Matter of Complant on this Occasion, that those among the Dissenters who are most *strictly Conscientious* (meaning the last Sort) should be worst used ; and it would be pity it should be so, if one Part of that Conscience, were not to destroy the established Worship and Government, as soon as they can.

Much has been said about the Propriety or Impropriety of making the Sacrament a Test in *Civil Affairs*; a Point, that was fully discussed some
Years

Years since by two Combatants of great Note, who have now the Honour to sit upon the Bishops Bench, and between whom I leave it. Only with these Observations, 1. That it is incumbent upon those Dissenters (if any such there be) who rest *singly* upon that Objection ; to find some *other* Test that will effectually keep out both Papists and Dissenters. 2. That those Friends of the Dissenters who offer'd a Clause in Parliament presently after the Revolution, that the Receiving the Sacrament in their own Meetings and a Certificate thereof, should be a sufficient Qualification, could not but see, that the Objection was altogether as strong against a *Sacramental* Test in a *Conventicle*, as in a *Church*, 3. That the dwelling upon this Head is an artful Way of drawing the Attention of the Readers from the main Point, which is not, What kind of Test is most proper and effectual, but whether or no there ought to be any Test at all ?

B

There

There is one Thing observable in the Test-Act, which has not been commonly attended to, though of some Importance in the present Case. The Dissenters plead, that there was no Desire or Intention in the Legislature to include them in the Disabilities and Penalties of that Act. Be it so. I would then ask, Why, besides the Oaths of Allegiance and Supremacy, and the Declaration against Transubstantiation, (all which are required by that very Act) did the Legislature think fit to require the *Sacramental Test*, which is the only Thing in it that affects the Dissenters? The Answer of a Dissenter must be, That the Legislature thought they could not effectually exclude the Papists without that Test. From whence the Consequence is, that if they did not desire to exclude the Dissenters from Offices, they must believe that a Sacramental Test was absolutely necessary to exclude the Papists. Upon which another Question arises, What then shall exclude the Papists, if the Sacramental Test be abolished? Not Oaths,

Oaths, nor Declarations, which it is plain the Legislature at that Time looked upon as dispensable Matters, and such Securities as might be broke thro' for the Good of the Catholick Cause. But their joining with the Church of *England* in the most solemn Act of Christian Worship, is a Bar of the strongest Kind ; it is an open and publick Acknowledgment, that our Church is a true Church, and our Ministry a true Ministry, and We true Members of the Catholick Church of Christ ; notwithstanding our Separation from the Church of *Rome*.

In the Books which have been written upon this Subject, in Favour of the Dissenters, we have heard much of *Natural Rights*, and the unjust Invasion of those Rights by the Corporation and Test Acts. But is not Society and Government itself founded in an *Abridgment* of Natural Rights, in such Instances and such Degrees, as in the Judgment of the Legislature the Safety and Welfare of the *Whole* requires ? Look

into the present Constitution of *Parliament*, and see how Natural Rights stand there. Can any Right be more natural, than that they, whose Property is to be disposed of, should have a Vote in returning those who are to dispose of it; and yet what Numbers are excluded from voting, whose Property is equally affected with that of their Fellow-Subjects? Has not every one a natural Right to a Capacity of representing his Country in Parliament, and every Elector as good a Right to chuse the Person whom he thinks most fit to be trusted, and best qualified for the Service; and yet, what Numbers are now excluded from receiving that Trust, how well soever qualified in all other Respects, if they be not possessed of Estates to a certain Value, as Pledges of a sincere and steady Concern for the Interest of their Country. Just so it is, and no otherwise, in the Case of the Corporation and Test Acts. The Legislature of the Kingdom has thought fit to establish a National Church, as the best Means of promoting

moting Religion, and preserving Peace and Order in the State; and now they stand accused by these Men of an unjust Usurpation upon Natural Rights, because they have taken Care that none be admitted to Offices of Power and Trust, who do not think Communion according to that Church to be at least *lawful*; or, in other Words, because they have absolutely excluded those, who judging it *unlawful*, as in itself *sinful*, were obliged in Conscience to destroy it as soon as they can.

The Truth of the Case is this; many of those who are most zealous for abolishing those Acts as Infringements of Natural Right, are also in Principle against any Church-Establishment at all; and look upon all Interpositions of the Civil Power, in establishing and maintaining a National Religion, to be as much Usurpations upon the Rights and Liberties of Mankind, as the Laws they have made for the Defence of that Establishment. And in this they argue consistently,

sistently, and both they and we are regular in drawing our *Conclusions*, tho' from different Principles. If there ought to be no Church-Establishment, there ought to be no exclusive Laws to preserve that in being, which ought not to be at all; and if there ought to be a Church-Establishment, certainly Power ought to be kept out of those Hands, whose Principle it is to destroy it: So that the true State of the Case between the Church and the Dissenters in this Matter of the Toleration and Test Acts, is, Whether or no the Civil Power *can* establish a National Church; and, if they can, whether it is or is not conducive to the Ends of Religion and of publick Peace and Order, that such a Church be established; and after the Establishment, that it be maintain'd and preserv'd. When these Points are settled, the *Consequences* on either Side will admit of no Dispute; and whatever Reasonings do not take their Rise from hence (as the Suggestions of Natural Right, Ability to serve, Affection to the

the

the Government in the State, and the like) are really no better than Declamation and Amusement.

It might be expected, that the Dissenters should strengthen this Argument of Natural Right, by Instances fetch'd from *other* Countries, where they could alledge, that Civil Offices are bestow'd without any Regard to Affection or Disaffection to the National Religion. But if no such Instances are to be found, methinks it should give a Check to the Declamations upon that Head; and one would hope, that common Modesty should restrain People from supposing, that all Countries (even *Holland* itself, so fam'd for Liberty) could go on without Remorse, in a Practice so unjust and abominable as this has been represented in some late Writings. Upon the whole, if I might be thought worthy to advise the Dissenters, they should not take their Measures of Fitness or Unfitness for the Attempt, either from an old or new Parliament; but they should wait till
they

they have wrought the Body of the Nation into a Belief, that there ought to be no Church-Establishment at all, or into a thorow Dislike of the present Establishment, or at least into a greater Disposition to give it up, or to see it hurt, than hitherto appears either among Clergy or People. And to proceed regularly in the Work, they should also wait till they have seen they have convinced the Crown, that an Episcopal Church is not so well adapted to the Support of Monarchy, as the Presbyterian or Independent Model ; or that the Services which the Bishops and Clergy, and the Friends of the establish'd Church can perform to the Monarch upon the Throne, are not considerable enough to be put into the Balance against those which He may expect from the Dissenters and their well-Wishers ; or that among those who are *willing* to give all the Pledges which the Law requires for the Security of Church and State, there are not Numbers or Abilities sufficient for the

the Administration of Offices, Civil and Military. And there is one Difficulty more which seems to lie in their Way ; That by the Act of Union in the Sixth of Queen Anne, *All and singular Acts of Parliament then in Force, for the Establishment and Preservation of the Church of England, and the Doctrin, Worship, Disciplin and Government thereof, shall remain and be in full Force for ever* : And this Act is also declared to be *an essential and fundamental Part of the Union between the two Kingdoms.*

When the Way is thus prepared, they will easily attain their End ; but this will be a Work of Time ; and I am apt to think, they will find it difficult to persuade considerate and impartial Men, that the Bounds between the Church and the Dissenters can be more wisely adjusted, than is already done in the Settlement made by the Legislature immediately after the Revolution ; when that Matter was maturely considered by as able Heads as any Age has produced, and at a Time when the Dissenters can-

not pretend, that there was not a Disposition to consider their Case in the most favourable Light that the Constitution in Church and State would fairly admit. We have had long Experience of the good Effects of what was then settled ; and one may venture to foretell, without the Spirit of Prophecy, that whenever that Foundation is alter'd, (whenever the Church shall break in upon the Toleration, or the Toleration upon the Church) the Peace of this Country is at an End.

F I N I S.







