

Resuscitatio or, bringing into publick light several pieces of the works, civil, historical, philosophical, and theological, hitherto sleeping of the right honourable Francis Bacon : Baron of Verulam, Viscount Saint Alban. In two parts. The third edition, according to the best corrected copies, together with his Lordships life. / By William Rawley, doctor in divinity, his lordships first and last Chaplain. And lately his Majesties Chaplain in Ordinary.

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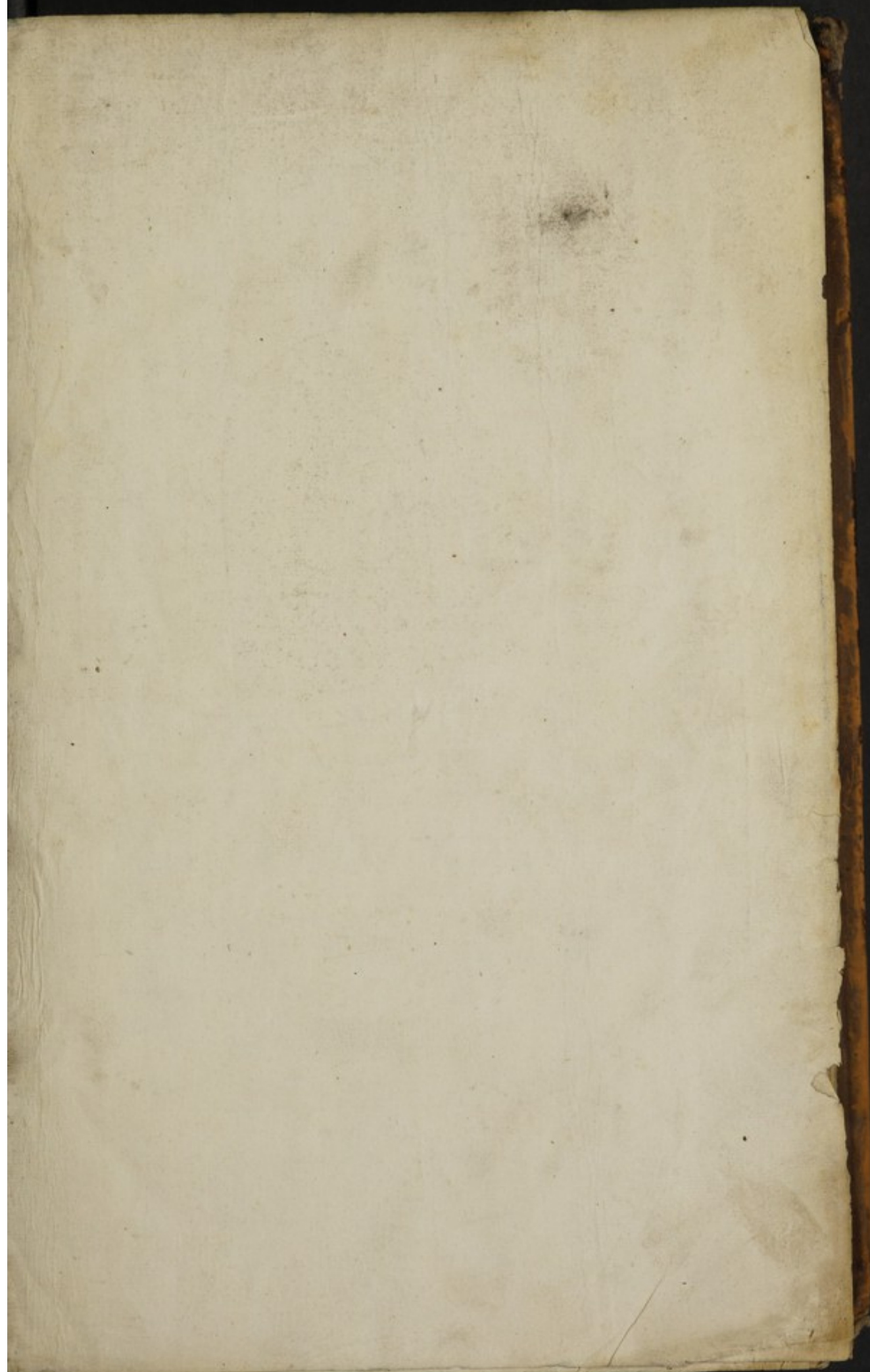
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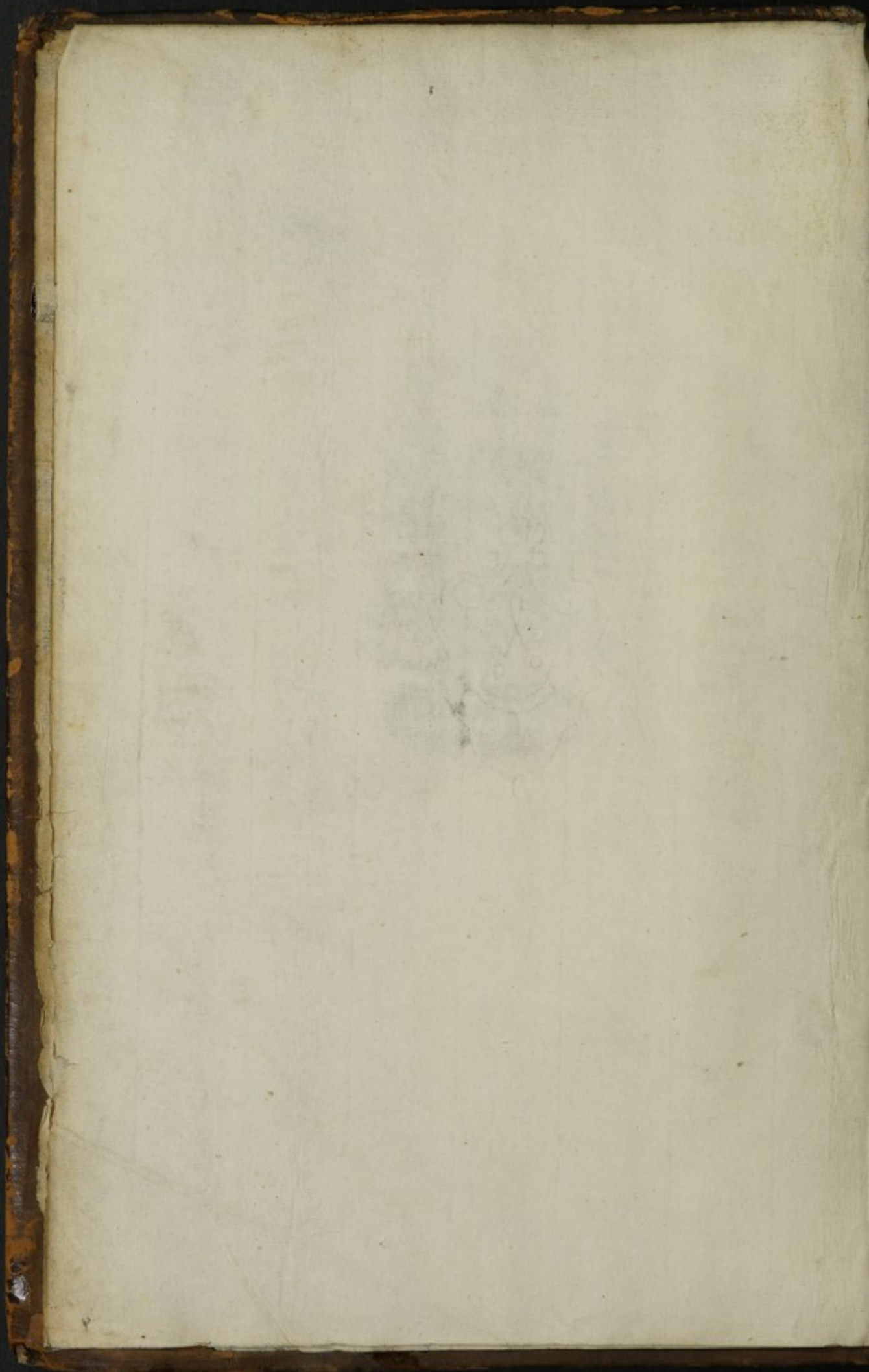
BACON, F

Bound in at end is J Selden's Brief
this course touching the office of Lord
Chancellor. 1671.



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THE
SIXTH
VOLUME
OF THE
PRACTICE
OF THE
ARTS
AND
MANUFACTURES
IN
THE
UNITED
STATES
OF
AMERICA
IN
THE
YEAR
1860
BY
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OF THE
BUREAU OF THE
CENSUS
IN TWO PARTS

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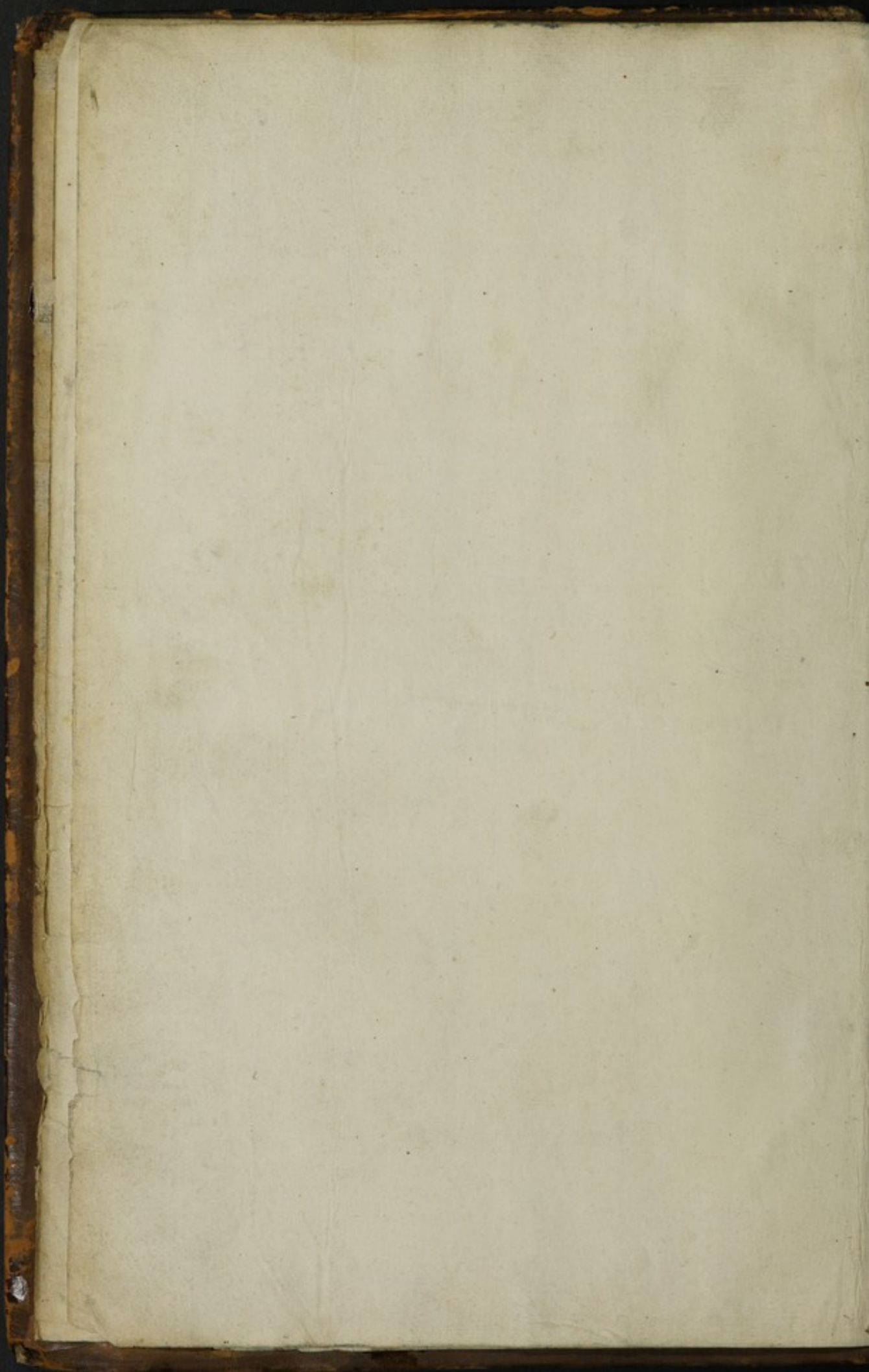
THE FIRST PART, CONTAINING
THE HISTORY OF THE ARTS
AND MANUFACTURES, FROM
THE EARLIEST PERIODS TO
THE PRESENT TIME.

THE SECOND PART, CONTAINING
A DESCRIPTION OF THE
MACHINERY AND TOOLS
USED IN THE ARTS AND
MANUFACTURES.

THE THIRD PART, CONTAINING
A DESCRIPTION OF THE
MATERIALS USED IN THE
ARTS AND MANUFACTURES.

THE FOURTH PART, CONTAINING
A DESCRIPTION OF THE
METHODS OF MANUFACTURING
THE SEVERAL ARTICLES.

THE FIFTH PART, CONTAINING
A DESCRIPTION OF THE
MACHINERY AND TOOLS
USED IN THE ARTS AND
MANUFACTURES.



RESVSCITATIO

Or, bringing into

PUBLICK LIGHT

SEVERAL

PIECES

OF THE

WORKS

Civil, Historical, Philosophical, and Theological,

Hitherto SLEEPING

Of the Right Honourable

FRANCIS BACON

Baron of Verulam, Viscount Saint Alban.

In Two Parts.

The Third Edition, According to the best Corrected COPIES,
Together With his Lordships LIFE.

By WILLIAM RAWLEY, Doctor in Divinity, His
Lordships First and Last CHAPLAIN.

And lately his Majesties CHAPLAIN in Ordinary.

LONDON

Printed by S. G. and B. G. for William Lee, and are to be sold at his
Shop, at the sign of the Turks head in Fleetstreet over against
Fetter Lane. Anno Domini 1671.

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Tanner's Lane, Anno Domini 1671.



TO HIS
Sacred Majestie.
CHARLES THE II.

By the Grace of God, King of England, Scotland, France, and Ireland, Defender of the Faith, &c.

May it please your most excellent Majesty,



WHEN this Book was first published near four years past, there wanted a Royal Majestie in the Land to dedicate it unto: And a lower Dedication did not beseem the works of this Honourable Author. But now that it hath pleased God, that a Sun is risen in our Hemisphere again; This unpatroniz'd Book before, saluting the world with a Second Edition; Doth in all Humility press forward, and draw near to your Sacred Majestie, to be cherished by the Light and Warmth of your Royal Countenance and Protection. It is true, your Majestie hath now a living Counsel of the Ancient Splendour and Dignity; But yet it will not seem grievous to you at some times of Leisure, to confer with this Dead Counsellor; who served several years in a principal Office of
the

The Epistle Dedicatory.

the Kingdome under your Royal Grandfather (the most learned of Kings) and was Graciously accepted by him during his Employment: Being also a writer well known and highly prized amongst Forreign Nations. It is recorded as the saying of a wise and pious Bishop, concerning St. Augustine That it was Impossible that a Son of so many Tears should miscarry: I may crave leave to say the like of your Royal Majestie in a converted sense; That it is impossible a King of so many Prayers and VVishes, and Acclamations, Gratulations, and Joyes, as your Majestie is (Gods Aid implored) should not be prosperous. And therefore as your Coming to your Rightful Throne with all the Circumstances therein observable amounted to no less then a Miracle: So we have Budding and Lively hopes, that your Prudent Administration of the same will be even a Mirrour to succeeding Princes. Which with your Majesties long Continuance in Life and Happiness is and shall be the Fervent and Daily prayer of

Your Majesties most Humble,

and Devoted Subject,

and Servant,

W. Rawley.



TO THE
R E A D E R.

HAVING been employed, as an *Amanuensis* or daily Instrument, to this Honourable Author; And acquainted with his Lordships Conceits, in the composing, of his Works, for many years together; Especially in his Writing Time; I conceived, that no Man, could pretend a better Interest, or Claim, to the ordering of them, after his Death, than my self. For which cause, I have compiled in one, whatsoever bears the true stamp, of his Lordships excellent Genius; And hath hitherto slept, and been suppressed; In this present Volume; Not leaving any Thing, to a future Hand, which I found, to be of moment, and communicable to the Publick; save onely some few *Latine Works*; Which, by Gods favour and sufferance, shall soon after follow.

It is true, that for some of the *Pieces*, herein contained, his Lordship did not aim, at the *Publication* of them, but at Preservation onely; and *Prohibiting* them from *Perishing*; So as, to have been reposed, in some private Shrine, or Library: But now, for that, through the loose keeping of his Lordships Papers, whilst he lived, divers *Surreptitious*

The Epistle to the Reader.

Copies have been taken; which have since, employed the *Press*, with sundry Corrupt, and Mangled *Editions*; whereby Nothing hath been more difficult, than to find the *Lord Saint Alban*, in the *Lord Saint Alban*; And which have presented, (some of them,) rather a Fardle of *Non sense*, than any true Expressions, of his *Lordships Happy Vein*; I thought my self, in a sort, tied, to vindicate these Injuries, and wrongs, done to the *Monuments*, of his *Lordships Pen*; And at once, by setting forth, the true, and Genuine, writings themselves, to prevent the like Invasions, for the time to come. And the rather, in regard, of the Distance, of the time, since his *Lordships Dayes*; whereby, I shall not tread too near, upon the *Heels of Truth*; Or of the passages, and persons then concerned, I was induced hereunto. Which, considering the *Lubricity of Life*; And for that, I account my self to be, Not now in *Vergentibus*, but in *Precipitantibus Annis*, I was desirous to hasten.

Wherein, I shall crave leave, to open, my Counsels, and Purposes, as concerning this *present Edition*, in these five *Particulars*. First, I have ranked the several *Treatates*; Either, according to the *Dignity*, of the *Work*; as *Demosthenes*, or *Cicero's*, *Orations*, do precede *Demosthenes*, or *Cicero's Epistles*; Or else, according to the *series of the Times*, wherein they were written; or to which, they refer. By which Means, they may give the better Light; the one Part, to the other.

Secondly, I thought it fitting, to intimate; That the *Discourse*, within contained; Entituled, A *Collection, of the Felicities, of Queen Elizabeth*; was written by his *Lordship*, in *Latine* onely: whereof, though his *Lordship* had his particular Ends, then; yet, in regard, that I held it a *Duty*, That her own *Nation*, over which she so happily reigned, for many years; should be acquainted, and possessed, with the *Virtues*, of that excellent *Queen*, as well as *Forrein Nations*; I was induced, many years ago, to put the same into the *English Tongue*; Not *Ad Verbum*; For that had been but Flat, and Injudicious; But, (as far, as my slender Ability could reach,) according to the *Expressions*, which, I conceived his *Lordship* would have rendred it in, if he had
written

The Epistle to the Reader.

written the same in *English* : Yet ever acknowledging, that *Zeuxis*, or *Apelles*, *Pencil*, could not be attained, but by *Zeuxis*, or *Apelles*, Himself. This *Work*, in the *Latine*, his *Lordship* so much affected ; That He had ordained, by his *last Will*, and *Testament*, to have had it published, many years since : But that *singular Person*, entrusted therewith, soon after deceased. And therefore, it must now, expect a *Time*, to come forth, amongst his *Lordships*, other *Latine Works*.

Thirdly, in the *Collection of Letters* ; which is, as the *Fourth Part*, of this *Volume* ; there are inserted some few, which were written, by other *Pens*, and not by his *Lordships* own : Like as we find, in the *Epistolar Authors* ; *Cicero*, *Plinius secundus*, and the rest : which because I found them immixed, amongst his *Lordships Papers* ; And that they are written, with some similitude of *Stile* ; I was loath, they should be left, to a *Grave*, at that time, when his *Lordships* own *Conceptions*, were brought to life.

Fourthly, for that *Treatise*, of his *Lordships*, Inscribed, *A Confession of the Faith* ; I have ranked that in the *Close*, of this whole *Volume* : Thereby, to demonstrate to the *World* ; That he was a *Master*, in *Divinity*, as well as in *Philosophy*, or *Politicks* ; And that he was Versed, no less, in the *farving Knowledge* ; Than, in the *Universal*, and *Adorning*, *Knowldges*. For though, he composed the same, many years, before his *Death*, yet I thought that, to be the fittest place ; As the most acceptable *Incense* unto *God*, of the *Faith*, wherein he resigned his *Breath* ; The *Crowning*, of all his other *Perfections*, and *Abilities* ; And the best *Perfume*, of his *Name*, to the *World*, after his *Death*.

Lastly, if it be objected, that some few of the *Pieces*, whereof this whole consisteth, had visited the publick *Light* before ; It is true, that they had been obtruded to the *World*, by unknown *Hands* ; But with such *Skars*, and *Blemishes*, upon their *Faces* ; That they could pass but for a *Spurious*, and *Adulterine Brood*, and not for his *Lordships Legitimate Issue* : And the *Publishers*, and *Printers*, of them, deserve to have an *Action*, of *Defamation*, brought against them, by the *State of Learning*, for *Disgracing* and *Perlonating*, his *Lordships Works*.

As

The Epistle to the Reader.

As for this present *Collection*, I doubt not, but that it will
verifie it self, in the several *Parcells* thereof; and manifest,
to all understanding, and impartial *Readers*, who is the *Author*
of it; By that *Spirit*, of *Perspicuity*, and *Aptness*, and
Conciseness, which runs throuh the whole *Work*; and is ever
an Annex of his *Lordships* Pen.

There is required now; and I have been moved by many;
Both from *Forrein Nations*, and at *Home*; who have held in
Price, and been Admirers, of this *Honourable Authors* *Con-*
ceits, and *Apprehensions*; That some *Memorials*, might be
added, concerning his *Lordships* *Life*; Wherein I have been
more *Willing*, than *sufficient*, to satisfy their *Requests*: and
to that end, have endeavoured, to contribute, not my *Talent*,
but my *Mite*, in the next following *Discourse*; Though, to
give the true Value, to his *Lordships* *Worth*; There were
more need, of another *Homer*, to be the *Trumpet*, of *Achilles*
Virtues.

WILLIAM RAWLEY.

THE



THE Stationer to the Reader.

Least you should mistake my Designe in Re-printing this first part of Reculsitatio, and be jealous that I may pretend additions to Depreciate the former Impressions (as is some times practised) I thought good to give you this short Advertisement, that there is nothing added to this First Part, save only a Table and Sculpture of his Lordships Monumeur, procured me by that VVorthy Antiquary (and honourer of his Lordship) *William Dugdale* Esquire, which I note for no other cause but to let you know, that if any person desireth to have them bound to their old Books, they may buy them single, and have them put in without hurting the cover; But the occasion of Reprinting it was purely to supply Gentlemen who have long desired it, and could not be furnished, I having made diligent inquiry amongst all the Booksellers in the town, and could not get one, you need not expect any Addition to this Part, it being perfect, but the Second Part I have now Reprinted with divers additions of his Lordships VVorkes, which hitherto most of them hath been in obscuritie.

W.L.



A GENERAL TABLE

TO THE
First part of the RESUSCITATIO.

A Speech in Parliament, Elizabeth 39.	His Speech at the taking his place in Chan- cery. 65
upon the Motion of a Subsidie. Pag. 1	
A Speech to King James at his presenting the petition concerning Purveyors 4.	A Speech in the Star-Chamber before the Summer Circuits. 70
A Speech in Parliament Concerning the Article of General Naturalization of the Scottish Nation, 8	A Speech to Sir William Jones upon his calling to be Lord Chief Justice of Ireland. 72
A Speech in Parliament touching the union of Lawes. 20	A Speech to Sir John Denham Called to be a Baron of the Exchequer. 74
A Report made upon the Spanish Grievan- ces. 23	A Speech to Justice Hutton to be one of the Judges of the Common Pleas 75
A Speech to the King Concerning the righ- ting of their Grievances. 33	A Speech in Parliament to the Speakers Excuse. 76
A Speech about Wards and Tenures 34	Observations upon a Libel, published in Anno. 1592. 81
A Speech about Receiving the Kings Mes- sages. 37	The Second Observation 86
A brief speech of some supply to be given to his Majesty. 39	The Third Observation 100
A Speech when the House was troubled about undertakers. 39	The Fourth Observation 103
A Charge in the Star-Chamber against Wil- liam Talbot. 44	The Fifth Observation 112
A Charge against, I. S. for scandalizing the Benevolence. 49	The Sixth Observation 112
A Charge in the Kings Bench against Owen. 55	The Seventh Observation 114
A Charge in the Star-Chamber, against M. L. and others. 58	The Eighth Observation 117
	A true report of Doctor Lopez his Treason, 119
	An Advertisement touching the Controver- sies of the Church of England 128
	A Collection of the Felicities of Queen Elizabeth. 143
	A

<i>A Discourse of the Union of England and Scotland</i>	153	<i>Considerations Touching the Plantations in Ireland</i>	190
<i>Articles touching the Union of England and Scotland</i>	160	<i>Advice to the King touching Master Sutton's Estate</i>	198
<i>The beginning of the Historie of Great Britaine</i>	172	<i>A Proposition, touching the Compiling and Amendment of the Laws of Eng.</i>	203
<i>A Discourse touching Helps for the Intellectual Powers</i>	175. 176	<i>An Essay of Fame</i>	212
<i>Considerations Touching the Edification & Pacification of the Church of England</i>	180	<i>A Civil Character of Julius Caesar</i>	214
		<i>A Collection of Apothegms New and Old.</i>	223

A Table to the Letters in the First Part.

	Pag.		Pag.
A Letter to the Lord Treasurer Burghley.	1	<i>A Letter to the King</i>	23
<i>A Letter Touching the Solicitors place</i>	2	<i>A Letter to the Lord Chancellour touching the History of Britain</i>	24
<i>A Letter to Queen Elizabeth, upon the sending a New-years Gift.</i>	3	<i>A Letter to the King</i>	26
<i>A Letter of Advice to the Earl of Essex</i>	3	<i>A Letter to the Earl of Salisbury</i>	26
<i>A Letter of Advice to the Earle of Essex, upon the first Treaty with Tyrone 1598</i>	4	<i>A Letter to the Lord Treasurer Buckhurst</i>	26
<i>A Letter of Advice to the Earl of Essex before his going into Ireland</i>	6	<i>A Letter to the Lord Chancellor</i>	27
<i>A Letter to the Earl of Essex</i>	8	<i>A Letter to the Earl of Northampton</i>	27
<i>The Earl of Essex's Answer</i>	9	<i>A Letter to Doctor Playfer</i>	28
<i>Two Letters of Master Anthony Bacon to Sir Francis Bacon</i>	9	<i>A Letter to Sir Thomas Bodley</i>	29
<i>A Letter from the Earl, in answer to former Letters</i>	12	<i>A Letter to the Bishop of Ely</i>	29
<i>A Letter to Master Secretary Cecil</i>	13	<i>A Letter to Sir Thomas Bodley</i>	30
<i>Considerations touching the Queens Service in Ireland</i>	14	<i>A Letter to Master Matthew</i>	30
<i>A Letter to the Earl of Northumberland</i>	20	<i>A Letter to Sir Edward Cook</i>	33
<i>A Letter to his Majesty</i>	20	<i>A Letter to my Lord of Salisbury</i>	33
<i>A Letter to Master Faules</i>	21	<i>A Letter to the King</i>	35
<i>A Letter to Sir Thomas Challoner</i>	22	<i>A Letter to Sir George Carey</i>	37
<i>A Letter to Master Davis</i>	22	<i>A Letter to my Lord Major</i>	38
<i>A Letter to Master Faules</i>	21	<i>A Letter to the Lord of Salisbury</i>	39
<i>A Letter to Master Robert Kemp</i>	21	<i>A Letter to the King</i>	39
<i>A Letter to my Lord of Northumberland</i>	22	<i>A Letter to the King</i>	40
<i>A Letter to the Earle of Southampton</i>	22	<i>A Letter reporting the state of my Lord Chancellors Health</i>	42
<i>A Letter to Master Pierce</i>	23	<i>A Letter to the King</i>	42
		<i>A Letter to the King</i>	45
		<i>A Letter to the King</i>	46
		<i>A Letter to the King</i>	47
		<i>A Letter to the King</i>	48
		<i>A Letter to Sir George Villiers</i>	50
		<i>A Letter to the King</i>	50
		<i>A Letter to the King</i>	52

	Pag.		Pag.
<i>A Letter to Sir George Villers</i>	53	<i>A Letter to the Lord Treasurer</i>	75
<i>A Letter to the King</i>	54	<i>A Letter to my Lord of Essex</i>	76
<i>A Letter to the King</i>	58	<i>A Letter to Sir Thomas Lucy</i>	76
<i>A Letter to Sir George Villers</i>	60	<i>A Letter to Sir Robert Cecil</i>	77
<i>A Letter to the King</i>	60	<i>A Letter to the Queen</i>	78
<i>A Letter to Sir George Villers</i>	61	<i>A Letter to my Lord of Essex</i>	79
<i>A Letter to Sir George Villers,</i>	62.63	<i>A Letter to the Lord Treasurer</i>	80.81
<i>A Letter to the Kings attorney General</i>	65	<i>A Letter to Sir Robert Cecil</i>	82
<i>A Letter to Sir George Villars,</i>	66.67.	<i>A Letter to the Queen</i>	83
	68	<i>A Letter to my Lord Henry How-</i>	83
<i>A Letter of King James</i>	69	<i>ard</i>	83
<i>A Letter to my Lord of Essex</i>	71	<i>The Earl of Essex's Letter</i>	84
<i>A Letter to Sir Robert Cecil</i>	72	<i>A Letter to my Lord of Essex,</i>	88
<i>A Letter to the Sir John Stannop</i>	73	<i>A Letter to Sir Robert Cecil</i>	92
<i>A Letter to my Lord of Essex</i>	73	<i>A Letter to the Lord of Essex</i>	92.93
<i>A Letter to the Lord Treasurer</i>	74	<i>A Letter to the Lord of Canterbury</i>	94
<i>A Letter to Fulk Grevil</i>	74	<i>A Letter to my Lord of Essex</i>	94
		<i>A Confession of Faith.</i>	95



THE
L I F E
OF THE
RIGHT HONORABLE
FRANCIS BACON

Baron of *Verulam*, Viscount *St. Alban*.

By WILLIAM RAWLEY D.D.

His Lordships first and last Chaplain, and of late
His Majesties Chaplain in Ordinary.



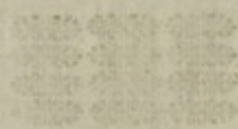
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THE
LIFE
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FRANCIS BACON

Baron of Verulam Viscount St Alban.

By WILLIAM RAULEY D.D.
His Majesty's Chaplain, and of late
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THE
L I F E
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RIGHT HONOURABLE
FRANCIS BACON

Baron of *Verulam*, Viscount *St. Alban*.

FRANCIS BACON, the Glory
of his Age and Nation, the Adorner
and Ornament of Learning, was born
in *York-House*, or *York-Place* in the *Strand*,
on the two and twentieth day of *January*,
in the Year of our Lord 1560. His Father was
that famous Councillor to *Queen Elizabeth*, the
second Prop of the Kingdom in his time, *Sir Nicholas Bacon*, Knight, Lord-Keeper of the Great Seal of
England; a Lord of known Prudence, Sufficiency,
Moderation, and Integrity. His Mother was *Anne*,
one of the Daughters of *Sir Anthony Cook*, unto
whom the Erudition of *King Edward the Sixth* had
been committed; a choice Lady, and eminent for

Piety, Vertue, and Learning, being exquisitely skill'd, for a Woman, in the *Greek* and *Latine* Tongues. These being the Parents, you may easily imagine what the Issue was like to be, having had whatsoever Nature or Breeding could put into him.

His first and Childish Years were not without some Mark of Eminency; at which time he was endued with that pregnancy and towardliness of Wit, as they were Presages of that deep and universal Apprehension which was manifest in him afterward, and caused him to be taken notice of by several Persons of Worth and Place, and especially by the Queen; who (as I have been inform'd) delighted much then to confer with him, and to prove him with Questions; unto whom he delivered himself with that Gravity and Maturity above his years, that her Majesty would often term him, *The young Lord-Keeper*. Being asked by the Queen how old he was, he answered with much discretion, being then but a Boy, *That he was two years younger than Her Majesties happy Reign*; with which Answer the Queen was much taken.

At the ordinary years of ripeness for the University, or rather something earlier, he was sent by his Father to *Trinity Colledge* in *Cambridge*, to be Educated and bred under the Tuition of Doctor *John Whitgift*, then Master of the Colledge: Afterwards the renowned Arch-bishop of *Canterbury*, a Prelate of the first Magnitude of Sanctity, Learning, Patience, and Humility; under whom he was observ'd to have been more than an ordinary Proficient in the several Arts and Sciences. Whilst he was commorant in the University, about sixteen
years

years of age, as his Lordship hath been pleas'd to impart unto my self, he first fell into the dislike of the Philosophy of *Aristotle*, not for the worthlesness of the Author, to whom he would ever ascribe all high Attributes, but for the unfruitfulness of the Way, being a Philosophy (as his Lordship used to say) onely strong for Disputations and Contentions, but barren of the production of Works, for the benefit of the Life of Man; in which mind he continued to his dying Day.

After he had passed the Circle of the Liberal Arts, his Father thought fit to frame and mould him for the Arts of State; and for that end sent him over into *France* with Sir *Amyas Paulet*, then employed Ambassador Lieger into *France*; by whom he was after a while held fit to be entrusted with some Message or Advertisement to the Queen; which having performed with great Approbation, he returned back into *France* again, with intention to continue for some years there. In his absence in *France* his Father the Lord-Keeper died, having collected (as I have heard of knowing Persons) a considerable sum of Money, which he had separated with intention to have made a competent Purchase of Land, for the Livelihood of this his youngest Son, who was onely unprovided for; and though he was the youngest in Years, yet he was not the lowest in his Fathers Affection; but the said Purchase being unaccomplished at his Fathers Death, there came no greater share to him, than his single part and portion of the Money, dividable amongst five Brethren; by which means he lived in some Straits and Necessities in his younger Years. For as for that pleasant Scite and Mannor of *Gorbambury*,
he

he came not to it till many years after, by the death of his dearest Brother, Mr. *Anthony Bacon*, a Gentleman equal to him in height of Wit, though inferior to him in the Endowments of Learning and Knowledge; unto whom he was most nearly conjoined in affection, they two being the sole Male-Issue of a second *Venter*.

Being return'd from Travel, he applied himself to the study of the *Common-Law*, which he took upon him to be his Profession. In which he obtain'd to great Excellency, though he made that (as himself said) but as an accessory, and not his principal Study. He wrote several Tractates upon that Subject: wherein, though some great Masters of the Law did out-go him in Bulk, and Particularities of Cases, yet in the Science of the Grounds and Mysteries of the Law he was exceeded by none. In this Way he was after a while sworn of the *Queens Council Learned Extraordinary*, a Grace (if I err not) scarce known before. He seated himself for the commodity of his Studies and Practice, amongst the Honourable Society of *Grays-Inn*, of which House he was a Member; where he erected that Elegant Pyle, or Structure, commonly known by the Name of *The Lord Bacon's Lodgings*, which he inhabited by turns the most part of his Life (some few years onely excepted) unto his dying Day. In which House he carried himself with such Sweetness, Comity, and Generosity, that he was much revered and beloved by the *Readers and Gentlemen* of the House.

Notwithstanding that he professed the Law for his Livelihood and Subsistence, yet his Heart and Affection was more carried after the Affairs and
Places

Places of State ; for which, if the Majesty Royal then had been pleased, he was most fit. In his younger Years he studied the Service and Fortune (as they call them) of that Noble, but unfortunate Earl, the Earl of *Essex* ; unto whom he was in a sort a private and free Counsellor, and gave him safe and honourable Advice, till in the end the Earl inclined too much to the violent and preciate Counsel of others, his Adherents and Followers, which was his Fate and Ruine.

His Birth and other Capacities qualified him above others of his Profession, to have ordinary accesses at Court, and to come frequently into the Queens Eye, who would often Grace him with private and free Communication, not onely about Matters of his Profession, or Business in Law, but also about the arduous Affairs of State ; from whom she received from time to time great satisfaction. Nevertheless, though she cheered him much with the Bounty of her Countenance, yet she never cheered him with the Bounty of her Hand, having never conferr'd upon him any Ordinary Place, or Means of Honour or Profit, save onely one dry Reversion of the *Registers Office* in the *Star-Chamber*, worth about 1600 *l. per Ann.* for which he waited in expectation, either fully, or near twenty Years ; of which his Lordship would say in Queen *Elizabeths* time, *That it was like another Man's Ground buttalling upon his House, which might mend his Prospect, but it did not fill his Barn.* Nevertheless, in the time of King *James* it fell unto him ; which might be imputed, not so much to her Majesties averfeness and disaffection towards him, as the arts and policy of a great Statesman then, who laboured by all industrious and secret means

to

to suppress and keep him down, lest if he had risen, he might have obscur'd his Glory.

But though he stood long at a stay in the days of his Mistress Queen *Elizabeth*, yet after the Change, and Coming in of his new Master King *James*, he made a great progress; by whom he was much comforted in Places of Trust, Honour, and Revenue. I have seen a Letter of his Lordships to King *James*, wherein he makes acknowledgement, *That he was that Master to him, that had raised and advanced him nine times, thrice in Dignity, and six times in Office.* His Offices (as I conceive) were Council Learned Extraordinary to his Majesty, as he had been to Queen *Elizabeth*; Kings Soliciter-General; His Majesties Attourney-General; Counsellor of State, being yet but Attourney; Lord-Keeper of the Great Seal of England; lastly, Lord-Chancellor: which two last Places, though they be the same in Authority and Power, yet they differ in Patent, Heighth, and Favor of the Prince. Since whose time none of his Successors, until this present Honorable Lord, did ever bear the Title of Lord-Chancellor. His Dignities were first Knight, then Baron of Verulam; lastly, Viscount St. Alban. Besides other good Gifts and Bounties of the Hand which His Majesty gave him, both out of the Broad-Seal, and out of the Alienation-Office, to the value in both of eighteen hundred Pounds per Annum; which with his Mannor of Gorbambury, and other Lands and Possessions near thereunto adjoining, amounting to a third part more, he retained to his dying Day.

Towards his rising Years, not before, he entred into a Married Estate, and took to Wife *Alice*, one of the Daughters and Co-heirs of *Benedict Barnham*, Esquire, and Alderman of London; with whom he received

received a sufficiently ample and liberal Portion in Marriage. Children he had none; which though they be the means to perpetuate our Names after our Deaths, yet he had other Issues to perpetuate his Name, the Issues of his Brain; in which he was ever happy and admir'd, as *Jupiter* was in the production of *Pallas*. Neither did the want of Children detract from the good usage of his Consort during the Intermarriage, whom he prosecuted with much Conjugal Love and Respect, with many rich Gifts and Endowments, besides a Robe of Honour which he invested her withall, which she wore unto her dying Day, being twenty Years and more after his Death.

The last five Years of his Life being withdrawn from Civil Affairs, and from an active Life, he employ'd wholly in Contemplation and Studies. A thing whereof his Lordship would often speak during his active Life, as if he affected to die in the Shadow and not in the Light; which also may be found in several Passages of his Works. In which time he Compos'd the greatest part of his Books and Writings, both in *English* and *Latine*, which I will enumerate as near as I can in the just order wherein they were Written. *The History of the Reign of King Henry the Seventh*; *Abcedarium Naturæ*, or, *A Metaphysical Piece*, which is lost; *Historia Ventorum*; *Historia Vitæ & Mortis*; *Historia Densæ & Rari*, not yet Printed; *Historia Gravis & Levis*, which is also lost; *A Discourse of War with Spain*; *A Dialogue touching an Holy War*; *The Fable of the New Atlantis*; *A Preface to a Digest of the Laws of England*; *The beginning of the History of the Reign of King Henry the Eighth*; *De Augmentis Scientiarum*, or, *The Ad-*

vancement of Learning, put into *Latine*, with several Enrichments and Enlargements; *Councils Civil and Moral*, or his Book of *Essays*, likewise Enriched and Enlarged; *The Conversion of certain Psalms into English Verse*; *The Translation into Latine of the History of King Henry the Seventh, Of the Councils Civil and Moral, Of the Dialogue of the Holy War, Of the Fable of the New Atlantis*, for the benefit of other Nations; His Revising of his Book *De Sapientia Veterum*; *Inquisitio de Magnete, Topica Inquisitionis, de Luce & Lumine*, both these not yet Printed; Lastly, *Sylva Sylvarum*, or, *The Natural History*. These were the Fruits and Productions of his last five Years. His Lordship also design'd, upon the Motion and Invitation of his late Majesty, to have Written the Reign of King *Henry the Eighth*; but that Work perish'd in the Designation meerly, God not lending him Life to proceed farther upon it, than onely in one Mornings Work; whereof there is Extant an *Ex Ungue Leonem*, already Printed in his Lordships Miscellany Works.

There is a Commemoration due as well to his Abilities and Vertues, as to the Course of his Life. Those Abilities which commonly go single in other Men, though of prime and observable Parts, were all conjoyn'd and met in him; those are, Sharpness of *Wit*, *Memory*, *Judgment*, and *Elocution*: For the former three, his Books do abundantly speak them; which with what Sufficiency he Wrote, let the World judge; but with what Celerity he Wrote them, I can best testifie: But for the fourth, his *Elocution*, I will onely set down what I heard Sir *Walter Rawleigh* once speak of him by way of Comparifon (whose Judgment may well be trusted,) That

That the Earl of Salisbury was an excellent Speaker, but no good Pen-man; That the Earl of Northampton (the Lord Henry Howard) was an excellent Pen-man, but no good Speaker; But that Sir Francis Bacon was eminent in both.

I have been induced to think, That if there were a Beam of Knowledge derived from God upon any Man in these Modern Times, it was upon him: for though he was a great Reader of Books, yet he had not his Knowledge from Books, but from some Grounds and Notions from within himself. Which notwithstanding he vented with great Caution and Circumspection. His Book of *Instaurazione Magna* (which in his own account was the chiefest of his Works,) was no sleight Imagination, or Fancy of his Brain, but a settled, and concocted Notion, the production of many years Labor and Travel. I myself have seen at the least twelve Copies of the *Instauracion*, Revised Year by Year one after another, and every Year altered and amended in the Frame thereof, till at last it came to that Model in which it was committed to the Press, as many living Creatures do Lick their young ones, till they bring them to their strength of Limbs.

In the Composing of his Books he did rather drive at a Masculine and clear Expression, than at Fineness, or Affectation of Phrases, and would often ask if the Meaning were expressed plainly enough, as being one that accounted Words to be but subservient, or Ministerial to Matter, and not the Principal. And if his Stile were Polite, it was because he would do no otherwise. Neither was he given to any light Conceits, or Descanting upon Words, but did ever purposely and industriously avoid

them; for he held such things to be but Digressions, or Diversions from the Scope intended, and to derogate from the Weight and Dignity of the Style.

He was no Plodder upon Books, though he Read much, and that with great Judgment, and rejection of Impertinencies, incident to many Authors: for he would ever interlace a moderate Relaxation of his Mind with his Studies, as Walking, or taking the Air abroad in his Coach, or some other befitting Recreation; and yet he would lose no time, inasmuch as upon his first and immediate return, he would fall to Reading again, and so suffer no moment of time to slip from him without some present Improvement.

His Meals were Refections of the Ear as well as of the Stomach, like the *Noctes Atticæ*, or *Convivia Deipno-Sophistarum*, wherein a Man might be refreshed in his Mind and Understanding no less than in his Body. And I have known some, of no mean Parts, that have professed to make use of their Note-Books, when they have risen from his Table. In which Conversations, and otherwise, he was no Dashing Man, as some Men are, but ever a Countenancer and Fosterer of another Mans Parts. Neither was he one that would appropriate the Speech wholly to himself, or delight to out-vie others, but leave a liberty to the Co-Assessors to take their turns. Wherein he would draw a Man on, and allure him, to speak upon such a subject, as wherein he was peculiarly skilful, and would delight to speak. And for himself, he contemned no Mans Observations, but would light his Torch at every Mans Candle.

His

His Opinions and Assertions were for the most part Binding, and not contradicted by any, rather like Oracles than Discourses; which may be imputed either to the well weighing of his Sentence by the Scales of Truth and Reason, or else to the Reverence and Estimation wherein he was commonly had, that no Man would Contest with him; so that there was no Argumentation, or *Pro* and *Con* (as they term it) at his Table: or if there chanced to be any, it was carried with much Submission and Moderation.

I have often observed, and so have other Men of great Account, That if he had occasion to repeat another Mans Words after him, he had an use and faculty to dress them in better Vestments and Apparel than they had before; so that the Author should find his own Speech much amended, and yet the substance of it still retained, as if it had been natural to him to use good Forms; as *Ovid* spake of his faculty of Versifying.

Et quod tentabam scribere, Versus erat.

When his Office called him, as he was of the Kings Council Learned, to charge any Offenders, either in Criminals or Capitals. He was never of an insulting and domineering Nature over them, but always tender-hearted, and carrying himself decently towards the Parties (though it was his duty to charge them home,) but yet as one that look'd upon the *Example* with the Eye of Severity, but upon the *Person* with the Eye of Pity and Compassion. And in Civil Business, as he was Councillor of State; he had the best way of Advising, not engaging his Master

Master in any precipitate or grievous Courses, but in moderate and fair Proceedings: The King whom he Served giving him this Testimony, *That he ever dealt in Business Suavibus Modis; which was the way that was most according to his own heart.*

Neither was he in his Time less gracious with the Subject than with his Sovereign. He was ever acceptable to the *House of Commons* when he was a Member thereof. Being the King's *Attourney*, and chosen to a Place in *Parliament*, he was allowed and dispensed with to Sit in the *House*; which was not permitted to other *Attourneys*.

And as he was a good Servant to his Master, being never in nineteen years Service (as he himself averred) rebuked by the King for any thing relating to His Majesty, so he was a good Master to his Servants, and rewarded their long Attendance with good Places freely when they fell into his Power: which was the cause that so many young Gentlemen of Blood and Quality sought to Lift themselves in his Retinue. And if he were abused by any of them in their Places, it was onely the Error of the goodness of his Nature, but the Badges of their *Indiscretions* and *Intemperances*.

This Lord was Religious: for though the *World* be apt to suspect and prejudice great *Wits* and *Politicks* to have somewhat of the *Atheist*, yet he was conversant with God, as appeareth by several Passages throughout the whole Current of his Writings; otherwise he should have crossed his own Principles, which were, *That a little Philosophy maketh Men apt to forget God, as attributing too much to Second Causes; but depth of Philosophy bringeth Men back to God again.* Now I am sure there is no Man that will

will deny him, or account otherwise of him, but to have him been a deep *Philosopher*. And not onely so, but he was able to render a reason of the hope which was in him, which that *Writing* of his, of the *Confession of the Faith* doth abundantly testifie. He repaired frequently (when his Health would permit him) to the *Service of the Church*, to hear *Sermons*, to the Administration of the *Sacrament of the blessed Body and Blood of Christ*; and died in the true *Faith* established in the *Church of England*.

This is most true, he was free from *Malice*, which (as he said himself) *he never bred nor fed*. He was no *Revenger of Injuries*; which if he had minded, he had both Opportunity, and Place high enough to have done it. He was no *Heaver of Men out of their Places*, as delighting in their Ruine and Undoing. He was no *Defamer* of any Man to his Prince. One day, when a great *Statesman* was newly dead, that had not been his Friend, the King asked him, *What he thought of that Lord which was gone?* He answered, *That he would never have made his Majesties Estate better; but he was sure he would have kept it from being worse:* which was the worst he would say of him: which I reckon not among his *Moral*, but his *Christian Vertues*.

His *Fame* is greater, and sounds louder in *Foreign Parts* abroad, than at *Home* in his own Nation, thereby verifying that Divine Sentence, *A Prophet is not without honour, save in his own Countrey, and in his own House*. Concerning which I will give you a Taste onely, out of a Letter written from *Italy* (the Storehouse of refined *Wits*) to the late Earl of *Devonshire*, then the Lord *Candish*: *I will expect the new Essays of my Lord-Chancellor Bacon, as also his History, with a great deal of desire, and whatsoever else he shall Compose:*

But

But in particular of his History, I promise myself a thing perfect and singular, especially in Henry the Seventh, where he may exercise the Talent of his Divine Understanding. This Lord is more and more known, and his Books here more and more delighted in; and those Men that have more than ordinary Knowledge in humane Affairs, esteem him one of the most capable Spirits of this Age, and he is truly such. Now his Fame doth not decree with Days since, but rather increase. Divers of his Works have been anciently, and yet lately Translated into other Tongues, both Learned and Modern, by Foreign Pens. Several Persons of Quality, during his Lordships Life, crossed the Seas on purpose to gain an opportunity of seeing him, and Discoursing with him: whereof one carried his Lordships Picture from Head to Foot over with him into France, as a thing which he foresaw would be much desired there, that so they might enjoy the Image of his Person, as well as the Image of his Brain, his Books. Amongst the rest Marquis Fiat, a French Noble-man, who came Ambassador into England in the beginning of Queen Mary, Wife to King Charles, was taken with an extraordinary desire of seeing him: for which he made way by a Friend: And when he came to him, being then through weakness confin'd to his Bed, the Marquis saluted him with this high Expression, That his Lordship had been ever to him like the Angels, of whom he had often heard, and read much of them in Books, but he never saw them. After which they contracted an intimate Acquaintance: and the Marquis did so much revere him, that besides his frequent Visits, they wrote Letters one to the other, under the Titles and Appellations of Father and Son. As for his many Salutations by Letters from Foreign Worthies, devoted

devoted to Learning, I forbear to mention them, because that is a thing common to other Men of Learning or Note together with him.

But yet, in this matter of his *Fame*, I speak in the *Comparative* onely, and not in the *Exclusive*: for his *Reputation* is great in his own Nation also, especially amongst those that are of a more accute and sharper Judgment: which I will exemplifie but with two Testimonies and no more; the former when his *History* of King *Henry* the Seventh was to come forth; it was delivered to the old Lord *Brook*, to be perused by him; who when he had dispatch-ed it, returned it to the Author with this *Eulogy*, *Commend me to my Lord, and bid him take care to get good Paper and Ink, for the Work is incomparable.* The other shall be that of Doctor *Samuel Collins*, late Provost of *Kings Colledge* in *Cambridge*, a Man of no vulgar Wit, who affirmed unto me, *That when he had Read the Book of the Advancement of Learning, he found himself in a case to begin his Studies anew, and that he had lost all the time of his Studying before.*

It hath been desired, That something should be signified touching his *Diet*, and the Regiment of his *Health*; of which, in regard of his universal insight into Nature, he may perhaps be to some an *Example*. For his *Diet*, it was rather a plentiful and liberal Diet, as his *Stomach* would bear it, than a restrained; which he also commended in his Book of the *History of Life and Death*. In his younger Years he was much given to the finer and lighter sorts of Meats, as of *Fowls*, and such like; but afterward, when he grew more judicious, he preferred the stronger Meats, such as the *Shambles* afforded, as those Meats which bred the more firm and substantial Juices of

the Body, and less dissippable : upon which he would often make his Meal, though he had other Meats upon the Table. You may be sure he would not neglect that himself, which he so much extolled in his *Writings*, and that was the use of *Niter* ; whereof he took in the quantity of about three Grains in thin warm Broth every Morning, for thirty years together next before his Death. And for Physick, he did indeed live Physically, but not Miserably ; for he took onely a *Maceration* of *Rhubarb*, infused into a Draught of *White-Wine* and *Beer* mingled together for the space of half an Hour in six or seven Days, immediately before his Meal, whether Dinner or Supper, that it might dry the Body less, which (as he said) did carry away frequently the grosser Humors of the Body, and not diminish or carry away any of the Spirits, as Sweating doth : and this was no grievous thing to take. As for other Physick in an ordinary way (whatsoever hath been vulgarly spoken) he took not. His Receipt for the *Gout*, which did constantly ease him of his Pain within two Hours, is already set down in the end of the *Natural History*.

It may seem the *Moon* had some principal Place in the Figure of his *Nativity* : for the *Moon* was never in her *Passion*, or *Eclipsed*, but he was surpris'd with a sudden Fit of Fainting ; and that, though he observed not, nor took any previous knowledge of the *Eclipse* thereof, and as soon as the *Eclipse* ceased, he was restored to his former strength again.

He died on the ninth Day of *April* in the Year 1626. in the early Morning of the Day then celebrated for our Saviours *Resurrection*, in the sixty sixth Year of his Age, at the Earl of *Arundel's* House in
Highgate,

Highbgate, near *London*, to which Place he casually repaired about a Week before, God so ordaining that he should die there of a gentle *Fever*, accidentally accompanied with a great *Cold*, whereby the defluxion of *Rheume* fell so plentifully upon his Breast, that he died by *Suffocation*, and was buried in *St. Michael's Church* at *St. Albans*, being the Place designed for his Burial by his last Will and Testament, both because the Body of his Mother was Interred there, and because it was the onely Church then remaining within the Precincts of old *Verulam*: where he hath a Monument erected for him in white Marble, by the Care and Gratitude of Sir Thomas Meautys Knight, formerly his Lordships Secretary, afterwards Clerk of the King's Honorable Privy-Council under two Kings, representing his full Portraicture in the Posture of Studying, with an Inscription Composed by that accomplish'd Gentleman, and rare Wit, Sir Henry Wotton.

But howsoever his Body was mortal, yet no doubt his Memory and Works will live, and will in all probability last as long as the World lasteth. In order to which I have endeavor'd (after my poor Ability) to do this Honour to his Lordship, by way of enducing to the same.

FINIS.



RESUSCITATIO

PART I.

A Speech In Parliament, Elizabeth 39. upon the Motion of Subsidy.

AND please you, (Mr. Speaker,) I must consider the Time, which is spent; yet so, as I must consider also the Matter, which is great. This great Cause was, at the first, so materially, and weightily, propounded; And after, in such sort perswaded, and enforced; And by Him, that last spake, so much time taken, and yet to good purpose; As I shall speak at a great disadvantage: But because it hath been alwayes used, and the Mixture of this House doth so require it; That in Causes of this Nature, there be some Speech and Opinion, as well from persons of Generallity, as by persons of Authority; I will say somewhat, and not much: wherein it shall not besit for me, to enter into, or to insist upon secrets, either of her Majesties Coffers, or of her Councell, but my Speech must be, of a more vulgar Nature.

I will not enter (Mr. Speaker) into a laudative Speech, of the high and singular Benefits, which, by her Majesties, most politick, and happy Government, we receive thereby to incite you to a Retribution; partly, because no breath of Man, can set them forth worthily; and partly, because I know her Majesty, in her Magnanimity, doth bestow her benefits, like her freest Pattents, *absque aliquo inde reddendo*; Not looking for any thing again, (if it were in respect only of her particular,) but Love and Loyalty. Neither, will I now, at this time, but the case of this Realm of England, too preccisely; How it standeth with the Subject, in point of payments to the Crown; Though I could make it appear by Demonstration, (what opinion-soever be conceived.) that never Subjects were partakers of greater Freedom, and Ease; And that whether you look abroad, into other Countreys, at this present time, or look back to former Times in this our own

A Speech in
Parliament,
Eliz. 39.
C.C.C.

Country; we shall find an exceeding Difference, in matter of Taxes; which now I reserve to mention; nor so much in doubt to acquaint your Ears with Forrain Strains, or to digge up the Sepulchers of Buried and Forgotten Impositions, which in this case, (as by way of Comparifon,) it is necessary you understand; But because *Speech* in the *House*, is fit to perswade the generall point: And peticularly is more proper and seasonable for the *Committee*, Neither will I make any Observations, upon her *Majesties* manner of expending and issuing Treasure; being not upon excessive and exorbitant Donatives; nor upon sumptuous and unnecessary Triumphs, Buildings, or like Magnificence: but upon the Preservation, Protection, and Honour of the *Realm*. For I dare not scan upon her *Majesties* Actions: which it becometh me, rather to admire in silence, then to glosse, or discourse upon them, though with never so good a meaning. Sure I am that the Treasure that cometh from you to her *Majesty*, is but as a Vapour, which riseth from the Earth, and gathereth into a Cloud, and stayeth not there long; but upon the same Earth it falleth again: and what if some drops of this, do fall upon *France*, or *Flanders*? It is like a sweet Odour of Honour, and Reputation to our *Nation* throughout the World. But I will onely insist upon the Natural and Inviolable, Law of Preservation.

It is a Truth, (Mr. *Speaker*,) and a familiar Truth, that safety, and preservation, is to be preferred, before Benefit, or Encrease: In as much as those Counsels which tend to preservation, seem to be attended with necessity; whereas those Deliberations, which tend to Benefit, seem onely accompanied with perswasion. And it is ever gain, and no loss, when at the foot of the account, there remains the purchase of safety. The Prints of this are, every where to be found: The *Patient*, will ever part, with some of his *Bloud*, to save and clear the rest. The *Sea-faring Man* will, in a Storm, cast over some of his *Goods*, to save and assure the rest. The *Husband-man* will afford some Foot of *Ground*, for his Hedge and Ditch, to fortifie and defend the rest. Why (Mr. *Speaker*) the *Disputer* will, if he be wise, and cunning, grant somewhat, that seemeth to make against him, because he will keep himself within the strength of his opinion, and the better maintain the rest. But this Place adviseth me, not to handle the Matter in a Common Place. I will now deliver unto you that, which upon a *probatum est*, hath wrought upon my self, knowing your Affections to be like mine own. There hath fallen out, since the last *Parliament*, four Accidents or Occurrents of State; Things published and known to you all, by every one whereof it seemeth to me in my vulgar understanding, that the danger of this *Realm* is encreased: Which I speak not, by way of apprehending fear; For I know, I speak to English Courages; But by way of pressing Provision; for I do find, (Mr. *Speaker*,) that when *Kingdomes* and *States*, are entred into Teams and Resolutions of Hostility, one against the other, yet they are, many times restrained from their Attempts, by four Impediments.

The first is by this same *Aliud agere*; when they have their Hands full of other Matters, which they have embraced, and serveth for a diversion of their Hostile purposes.

The next is, when they want the Commodity, or opportunity, of some places of near Approach.

The third, when they have conceived an apprehension of the Difficulty and

and churlishness of the enterprize, and that it is not prepared to their Hand.

And the fourth is, when a *State*, through the Age of the *Monarch*, groweth heavy, and indisposed, to actions of great Peril, and Motion, and this dull Humour, is not sharpened, nor inflamed, by any provocations or scorns. Now if it please you to examine, whither by removing the Impediments in these four kinds, the Danger be not grown, so many degrees nearer us, by accidents (as I said) fresh, and all dated since the last *Parliament*.

Soon after the last *Parliament*, you may be pleased to remember, how the *French King* revolted from his *Religion*; whereby every Man of common understanding, may infer, that the Quarrell, between *France*, and *Spain*, is more reconcileable; And a greater inclination of affairs to a peace than before: which supposed, it followeth, *Spain* shall be more free, to intend his Malice against this Realm.

Since the last *Parliament*, it is also notorious, in every mans knowledge and remembrance; That the *Spaniards* have possessed themselves, of that Avenue, and place of approach, for *England*, which was never in the Hands of any *King of Spain* before; And that is *Callais*; which, in true Reason, and Consideration of estate, of what value or service it is, I know not; but in common understanding, it is a knocking at our Doors.

Since the last *Parliament* also, that Ulcer of *Ireland*, which indeed brake forth before, hath run on, and raged more: which cannot but be a great Attractive, to the Ambition, of the *Council of Spain*, who by former experience know, of how tough a Complexion, this *Realm of England* is, to be assailed: And therefore (as Rheumes, and Fluxes of Humours,) is like to resort to that part, which is weak, and distempered.

And lastly, it is famous now, and so will be many Ages hence, how by these two Sea-Journey's, we have braved him, and objected him to scorn: so that no Bloud, can be so frozen, or mortified, But must needs take Flames of Revenge, upon so mighty Disgrace.

So as this Concurrence of Occurrents, all since our last Assembly, some to deliver and free, our enemies; some to advance; and bring him on his way; some to tempt, and allure him; some to spur on and provoke him; cannot but threaten, an encrease of our Peril, in great Proportion.

Lastly, (Mr. Speaker,) I will but reduce to the Memory of this *House*, one other Argument, for ample and large providing, and supplying Treasure; And this it is.

I see, Men do with great Alacrity, and Spirit, proceed, when they have obtained a course, they long wished for, and were restrained from. My self can remember, both in this *Honourable Assembly*, and in all other places of this *Realm*, how forward, and affectionate, men were, to have an Invasive War. Then we would say; A Defensive War, was like eating, and consuming Interest; And needs we would be Adventurers, and Assailants. *Habes quod tota mente petisti*. Shall we not now make it good? especially, when we have tasted, so prosperous Fruit of our Desires?

The first of these Expeditions Invasive, was atchieved with great Felicity; ravished a strong and famous Port, in the Lap, and Bosome, of their high Countries: Brought them to such Despair, as they fired themselves, and their Indian Fleet; in Sacrifice, as a good Odour unto God, for the

A Speech in
Parliament,
Eliz. 39.

*A Speech to
King James
at his pre-
senting the
Petition of
the Houses
concerning
Purveyors.*
❧

great and Barbarous Cruelties, which they have committed upon the poor Indians, whither that Fleet was sayling; Disordered their Reckonings so as the next News we heard of, was nothing but protesting of Bills and breaking credit.

The second Journey was with notable Resolution, born up against Weather, and all Difficulties; And besides the success, in amusing him, and putting him to infinite charge, sure I am, it was like a *Tartars*, or *Parthians Bow*, which shooteth backward; And, had a most strong, and violent effect, and Operation, both in *France* and *Flanders*, so that our Neighbours, and Confederates, have reaped the Harvest of it; And while the Life Blood of *Spain*, went inward to the Heart, the outward Limbs, and Members trembled, and could not resist. And lastly, we have a perfect account, of all the Noble and good Blood, that was carried forth, and of all our Sea-Walls and good Shipping without Mortallity of Persons, wreck of Vessels, or any manner of Diminution. And these have been the happy Effects, of our so long, and so much desired, Invasive War.

To conclude (Mr. *Speakers*) therefore I doubt not, but every Man will consent, that our Gift must bear these two marks, and Badges: The one, of the Danger of the Realm, by so great a Proportion, since the last *Parliament*, encreased: The other, of the satisfaction we receive, in having obtained our so earnest and ardent Desire of an *Invasive War*.

*A Speech made by Sir FRANCIS BACON Knight,
chosen by the Commons, to present a Petition, touching
Purveyors, delivered to his Majesty, in the withdrawing
Chamber, at White-Hall, in the Parliament, held 1^o. & 2^o.
Jacobi, the first Session,*

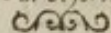
IT is well known, to your Majesty, (excellent King) that the Emperours of *Rome*, for their better Glory, and Ornament, did use in their Titles, the Additions of the Countries and Nations, where they had obtained victories: As *Germanicus*, *Britannicus*, and the like: But after all those Names, as in the higher place, followed the Name of *Pater Patrie*, as the greatest Name of all humane Honour immediately preceding that Name of *Augustus*; whereby they tooke themselves, to expresse some affinity that they had (in respect of their office,) with Divine Honour. Your Majesty might, with good reason, assume to your self, many of those other Names; As *Germanicus*, *Saxonicus*, *Britannicus*, *Francicus*, *Danicus*, *Gothicus*, and others, as appertaining to you, Not by Bloud-shed, (as they bare them,) but by Bloud: your Majesties Royal Person, being a noble confluence, of streams, and veynes, wherein the Royall Bloud of many Kingdoms of *Europe*, are met, and united. But no Name is more worthy of you, nor may more truly be ascribed unto you, then that Name of *Father of your people*, which you bear and expresse, not in the Formality of your stile, but in the reall Course of your Government. We ought not to say unto you, as was said to *Julius Caesar*

Caesar; *Quæ miremur habemus, quæ laudemus, expellamus*: That we have already wherefore to admire you, And that now we expect somewhat, for which to commend you. For we may, (without suspition of Flattery) acknowledge, that we have found in your *Majesty* great Cause, both of Admiration, and Commendation. For great is the Admiration, wherewith you have possessed us, since this *Parliament* began, in those two Causes wherein we have had access unto you, and heard your Voice: That of the return of *Sr. Francis Goodwine*; And that of the Union; whereby it seemeth unto us, the one of these, being so subtile a Question of Law: And the other so high a Cause of Estate; That as the Scripture saith of the wisest King: *That his heart was as the Sands of the Sea*, which, though it be one of the largest, and vastest Bodies, yet it consisteth, of the smallest Moates, and Portions. So (I say) it appeareth unto us, in these two examples, that God hath given your *Majesty* a rare sufficiency, both to compasse, and fathome the greatest matters, and to discern the least. And for matter of praise and Commendation, which chiefly belongeth to Goodness, we cannot but with great thankfulness profess, That your *Majesty*, within the Circle of one Year of your Raigh, (*infra Orbem Anni Vertentis*) hath endeavoured to unite your *Church*, which was divided; To supply your *Nobility*, which was diminished: And to ease your *People*, in Cases where they were burthened and oppressed.

In the last of these, your high Merits: That is the Ease and Comfort of your *People*: Doth fall out to be comprehended, the *Message*, which I now bring unto your *Majesty* concerning the great Grievance, arising by the manifold Abuses of *Purveyors*, Differing in some Degree from most of the things wherein we deal, and consult: For it is true that the *Knights, Citizens, and Burgeses* in *Parliament* assembled are a Representative Body, of your *Commons*, and *Third Estate*: and in many matters, although we apply our selves to perform the trust of those that choose us, yet it may be, we do speak much out of our own Senses and Discourses. But in this grievance, being of that Nature whereunto the poor *People* is most expoed, and Men of Quality less: we shall most humbly desire your *Majesty*, to conceive, that your *Majesty*, doth not hear, our Opinions, or Senses, but the very Groans, and Complaints themselves, of your *Commons*, more truly, and vively, then by Representation. For there is no Grievance in your Kingdom, so generall, so continual, so sensible, and so bitter unto the common *Subjea*, as this whereof we now speak, Wherein it may please your *Majesty* to vouchsafe me leave: First to set forth unto you the dutifull, and respective Carriage, of our proceeding, Next the substance of our Petition, and Thirdly, some Reasons and Motives, which in all humbleness we do offer to your *Majesties* Royal consideration, or Commiseration; we assuring our selves that never King raigned, that had better Notions of Head, and Motions of Heart, for the good and comfort of his loving *Subj^{ts}*.

For the first: In the course of *Remedy* which we desire, we pretend not, nor intend not, in any sort to derogate from your *Majesties* Prerogatives; nor to touch, diminish or question any your *Majesties* Regalities, or Rights. For we seek nothing but the Reformation of abuses, and the Execution of former Laws whereunto we are born. And although it be no strange Thing in *Parliament*, for new *Abuses*, to crave new *Remedies*; yet nevertheless in these abuses (which if not in Nature, yet in extremity and Heigh of them, are most of them new, we content our selves with the old Laws: Onely we desire a Confirmation and Quickening of them, in their Execution;

A Speech to King James at his presenting the Petition of the Houses concerning Purveyors.



A Speech to
King James
at his pre-
senting the
Petition of
the Houses
concerning
Purveyors



So far are we, from any Humour of Innovation, or Inroadment. As to the Court, of the Green-Cloth, ordained, for the Provision, of your Majesties most Honourable Household, we hold it Ancient, we hold it Reverent. Other Courts respect your Politick Person, but that respects your Naturall Person. But yet notwithstanding, (most Excellent King,) to use that Freedom which to Subjects that pour out their griefs before so gracious a King, is allowable, we may very well alledge unto your Majesty, a Comparifon or Similitude, used by one of the Fathers in another matter, and not unfitly representing our Case in this point: and it is of the Leaves, and Roots of Nettles. The Leaves, are venomous, and stinging where they touch: The Root is not so, but is without Venome, or Malignity: and yet it is that Root, that bears and supports, all the Leaves.

To come now, to the substance, of our Petition. It is no other, then by the Benefit of your Majesties Laws, to be relieved of the abuses of Purveyors; Which abuses do naturally divide themselves into three sorts. The first they take in kind, that they ought not to take. The second, they take in Quantity, a far greater proportion, then cometh to your Majesties Use. The Third, they take in an unlawfull manner: In a manner, (I say) directly, and expressly prohibited by divers Laws.

For the first of these, I am a little to alter their Name. For instead of *Takers*, they become *Taxers*: Instead of taking provision for your Majesties service, they tax your people, *ad redimendam vexationem*: Imposing upon them, and extorting from them, divers sums of money, sometimes in gross, sometimes in the nature of Stipends annually paid, *Ne noccant*, to be freed, and eased of their oppression. Again, they take *Trees*, which by Law they cannot do; Timber-Trees, which are the Beauty, Countenance, and Shelter of Mens Houses, That Men have long spared from their own purse and profit; That Men esteem (for their use and delight,) above ten times the value: That are a loss, which Men cannot repair, or recover. These do they take to the defacing, and spoiling of your Subjects Mansions, and Dwellings, Except they may be compounded with, to their own Appetites. And if a Gentleman be too hard for them while he is at home, They will watch their time, when there is but a Bayliffe, or a Servant remaining, and put the Axe to the Root of the Tree, ere ever the Master can stop it. Again they use a strange and most unjust Exaction, in causing the Subjects to pay Poundage, of their own Debts, due from your Majesty unto them: so as a poor Man when he hath had his Hay, or his Wood, or his Poultry, (which, perchance, he was full loath to part with, and had, for the Provision, of his own Family, and not, to put to Sale,) taken from him, And that not at a just Price, but under the value, and cometh to receive his Mony, he shall have after the rate of 12. pence in the pound abated for Poundage, of his due payment, upon so hard Conditions. Nay further they are grown to that extremity, (as is affirmed, though it be scarce credible, save that in such Persons, all things are Credible) that they will take double Poundage, Once when the *Debenture* is made, and again the second time, when the money is paid.

For the second Point, (most Gracious Sovereigne) touching the Quantity which they take, far above that which is answered to your Majesties use, they are the only *Multipliers* in the world, they have the Art of *Multiplication*: For it is affirmed unto me, by divers gentlemen of good report

*A Speech to
King James
at his pre-
senting the
Petition of
the Houses
concerning
Purveyors.*
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report, and experience, in these Causes, as a Matter, which I may safely avouch, before your Majesty, (To whom we owe all Truth, as well of Information, as Subjection;) That there is no Pound profit, which redoundeth to your Majesty in this Course; But induceth, and begetteth, three Pound damage upon your Subjects; besides the Discontentment. And to the end they make their Spoil more securely, what do they? whereas divers Statutes do strictly provide, that whatsoever they take, shall be registred, and attested; To the end, that by making a Collation, Of that which is taken from the Countrey, and that which is answered above their Deceits might appear; They to the end, to obscure their Deceits, utterly omit the Observation of this, which the Law prescribeth.

And therefore to descend, if it may please your Majesty, to the third sort of Abuse, which is of of the unlawfull Manner of their Taking, whereof this Question is a Branch, It is so manifold, as it rather asketh an Enumeration of some of the Particulars, than a prosecution of all. For their Price: By Law they ought to take as they can agree with the Subject, by abuse they take, at an imposed and enforced Price: By Law, they ought to make but one Aprizement, by Neighbours in the Countrey, by abuse, they make a second Aprizement at the Court Gate, and when the Subjects Cartell come up, many Miles, lean, and out of Plight by reason of their Travell, then they prize them anew, at an abated price: by Law, they ought to take between Sun and Sun, by abuse they take by Twilight, and in the Night time, a Time well chosen for Malefactours, by Law they ought not to take in the High-ways, (a place, by your Majesties high prerogative protected, and by Statute by special words, excepted) by abuse they take in the wayes in Contempt of your Majesties prerogative, and Laws: by Law they ought to shew their Commission and the Form of Commission is by Law set down, The Commissions they bring down are against the Law: and because they know so much they will not shew them. A number of other particulars there are, (whereof at I have given your Majesty a Taste) so the chief of them upon deliberate advise are set down in writing by the Labour of certain Committees, and approbation of the whole House more particularly and lively than I can express them: My self having them at the second hand by reason of my abode above. But this writing is a Collection of theirs who dwell amongst the abuses of these offenders and complaints of the People and therefore must needs have a more perfect understanding of all the Circumstances of them.

It remaineth only that I use a few words the rather to move your Majesty, in this cause. A few words, (I say,) a very few, for neither need so great Enormities any aggravating, neither needeth so great Grace, as useth of it self, to flow from your Majesties Princely Goodness, any artificiall perswading. There be two things only, which I think good, to set before your Majesty. The one, the example, of your most Noble Progenitors, Kings of this Realm, who from the First King, that endowed this Kingdom, with the Great Charters of their Liberties, untill the last, have ordained, most of them, in their severall Reigns, some Laws, or Law against this kind of Offenders: and specially the Example of one of them, that King, who for his Greatness, Wisdom, Glory, and Union of severall Kingdoms, resembleth your Majesty most, both in Vertue, and Fortune, King Edward the Third, who, in his time onely, made ten sever-

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*A Speech in
Parliament
touching the
Naturali-
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the Scottish
Nation*

all Laws, against this Mischief. The second, is the Example of God himself; who hath said and pronounced, *That he will not hold him guiltless, that take his Name in vain.* For all these great Misdemeanours, are committed, in, and under your *Majesties* Name. And therefore we hope your *Majesty*, will hold them twice guilty, that commit these offences: Once for the oppressing of the People: And once more, for doing it, under the Colour, and abuse, of your *Majesties* most dreaded, and beloved Name. So then, I will conclude, with the saying of *Pindarus*; *Optima Res Aqua*: Not for the Excellency, but for the Common use of it, And so contrary-wise, the Matter of abuse of Purveyance, (if it be not the most hainous abuse,) yet certainly, it is the most common, and generall abuse of all others, in this Kingdom.

It resteth, that according to the command laid upon me, I do in all Humbleness, present this writing, to your *Majesties* Royall Hands; with most humble Petition, on the behalf, of the Commons; That, as your *Majesty*, hath been please to vouchsafe your Gracious Audience to hear me speak: So you would be pleased, to enlarge your Patience, to hear this writing read, which is more Materiall.

A Speech used by Sir FRANCIS BACON in the Lower House of Parliament, 5^o. Jacobi, concerning the Article, of generall Naturalization, of the Scottish Nation.

IT may please you, (Mr. Speaker,) Preface will I use none, but put my Self, upon your good Opinions, to which I have been accustomed beyond my Deservings. Neither will I hold you in suspence, what way I will choose; But now, at the first, declare my self, that I mean to counsell the *House*, to naturalize this *Nation*. Wherein, nevertheless, I have a request to make unto you; which is of more Efficacy, to the purpose, I have in Hand, then all that I shall say afterwards. And it is the same, which *Demosthenes* did, more than once, in great Causes of Estate, make to the People of Athens; *Ut cum Calculis Suffragiorum, sumant Magnanimitatem Reip.* That when they took into their hands the Balls, whereby to give their Voices, (according as the manner of them was;) They would raise their Thoughts, and lay aside those Considerations, which their private Vocations, and Degrees, might minister, and represent unto them: And would take, upon them, Cogitations and Mipds, agreeable to the Dignity, and Honour, of the *Estate*.

For, Mr. Speaker, as it was aptly, and sharply said, by *Alexander*, to *Parmenio*; when upon the Recitall, of the great offers, which *Darius* madet, *Parmenio* said unto him; *I would accept these offers, were I as Alexander*: He Turned it upon him again; *So would I, (saith he) were I as Parmenio.* So, in this Cause, if an honest English Merchant, (I do not single out that State, in disgrace; For this *Island* ever held it Honourable; But only for an Instance, of a private profession:) If an English Merchant should say, *Surely I would proceed no further in the union; were I as the*

the King; It might be reasonably answered; No more would the King, were he as an English Merchant. And the like may be said of a Gentleman of the Countrey, be he never so worthy and sufficient, or of a Lawyer, be he never so wise and learned, or of any other particular Condition, in this Kingdom. For certainly, Mr. Speaker, if a Man shall be only, or chiefly, sensible, of those Respects, which his particular Vocation, and Degree, shall suggest, and infuse, into him: And not enter into true, and worthy Considerations, of Estate, he shall never be able aright to give Counsell, or take Counsell in this Matter. So that if this Request be granted, I account the Cause obtained.

But to proceed to the Matter it self. All Consultations, do rest upon Questions Comparative. For when a Question is, *De vero*, it is simple. For there is but one Truth: But when a Question is, *De Bono*, it is for the most part Comparative: For there be differing Degrees, of Good, and Evil, and the best of the good is to be preferred, and chosen: And the worst of the evil, is to be declined and avoyded. And therefore, in a Question of this Nature, you may not look for Answers proper to every Inconvenience, alledged: For somewhat that cannot be specially answered, may nevertheless, be incountred and over-weighed, by matter of greater moment. And therefore the Matter, which I shall set forth unto you, will naturally receive this Distribution of three parts.

First, an Answer, unto those Inconveniences, which have been alledged, to ensue, if we should give way to this Naturalization: which, I suppose, you will find, not to be so great, as they have been made: But that much Dross, is put into the Ballance, to help to make weight.

Secondly, an Encounter against the Remain, of those Inconveniences, which cannot properly be answered, by much greater Inconveniencies, which we shall incur, if we do not proceed, to this Naturalization.

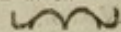
Thirdly, an Encounter likewise, but of another Nature, That is by the gain, and benefit, which we shall draw, and purchase to our selves, by proceeding to this Naturalization. And yet to avoid Confusion, which evermore followeth of too much Generality, it is necessary for me, before I proceed to perswasion, to use some Distribution of the Points, or Parts of Naturalization: Which certainly can be no better, nor none other, than the ancient Distribution, of *Jus Civitatis*, *Jus Suffragii*, *vel Tribus*, and *Petitionis*, *sive Honorum*. For all Ability, and Capacity, is either of private interest, of *Meum & Tuum*, or of publick Service. And the publick consisteth chiefly, either in Voice, or in Office. Now it is the first of these, Mr. Speaker, that I will only handle at this Time, and in this place, and reserve the other two for a Committee: Because they receive more Distinction, and Restriction,

To come therefore, to the Inconveniences alledged on the other part. The first of them is, that there may ensue of this naturalization, a surcharge of people upon this Realm of England; which is supposed already, to have the full charge, and content: and therefore, there cannot be an admission of the adoptive, without a Diminution, of the Fortunes, and Conditions of those that are Native Subjects of this Realm. A grave Objection, Mr. Speaker, and very undutifull, for it proceedeth not, of any unkindness, to the Scottish Nation, but of a Naturall Fastness to our selves. For that Answer of the *Virgins*; *Ne forte non sufficiat Vobis & Nobis*, proceeded, not out of any Envy, or malign humour, but out of providence, and that originall charity, which begins with our selves. And

A Speech in
Parliament
touching the
Naturali-
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the Scottish
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A Speech in
Parliament
touching the
Naturali-
zation of
the Scottish
Nation



I must confesse, Mr. *Speaker*, that, as the Gentleman said, when *Abraham*, and *Lot*, in regard of the Greatness of their Families, grew pent, and straitened; it is true, that (Brethren though they were) they grew to difference, and to those words; *Vade tu ad Dextram: & ego ad Sinistram*, &c. But certainly, I shoud never have brought that example on that side, For we see what followed of it; How that this Separation, *ad Dextram*, and *ad Sinistram*, caused the miserable Captivity of the one Brother, and the Dangerous, though prosperous War, of the other, for his Rescous and Recovery.

But to this Objection, Mr. *Speaker*, being so weighty, and so principall, I mean to give three severall Answers; every one of them, being, to mine understanding, by it self sufficient.

The first is, that this Opinion of the Numbers of the *Scottish Nation*, that should be likely, to plant themselves here amongst us, will be found to be a Thing, rather in Conceit, then in Event. For (Mr. *Speaker*) you shall finde this plausible Similitudes, of a Tree, that will thrive the better, if it be removed into a more fruitfull Soyl, And of Sheep, or Cattle: that if they find a Gap, or passage open, will leave the more barren Pasture, and get into the more Rich, and plentifull; To be but Arguments meerly superficiall, and to have no sound Resemblance, with the Transplanting, or Transferring of Families. For the Tree, we know, by nature, as soon as it is set in the better Ground, can fasten upon it, and take Nutriment from it: And a sheep as soon as he gets into the better Pasture, what should let him to graze, and feed? But there belongeth more, (I take it) to a Family, or particular Person, that shall remove from one Nation, to another. For if (Mr. *Speaker*) they have not Stock, means, Acquaintance and Custome, Habitation, Trades, Countenance, and the like; I hope, you doubt not, but they will starve, in the midst of the rich Pasture; And are far enough off, from grazing, at their pleasure. And therefore in this point, which is conjurall, Experience is the best Guide: For the Time past, is a Pattern, of the Time to come. I think, no Man doubteth, Mr. *Speaker*) but his *Majesties* first coming in, was as the greatest Spring-tide, for the Confluence, and Entrance, of that *Nation*. Now I would fain understand, in these four years space, and in the fullness and Strength, of the Current and Tide, how many Families, of the *Scottish Men*, are planted, in the *Cities*, *Boroughs*, and *Towns*, of this *Kingdom*? For I do assure my self, that more then some Persons of Quality, about his *Majesties* Person, here at the *Court*, and in *London*, And some other inferiour Persons, that have a Dependancy upon them; The Return and Certificate, if such a Survey, should be made, would be of a Number extremely small. I report me, to all your private knowledges, of the places where you inhabit.

Now Mr. *Speaker*,) as I said, *Si in Ligno viridi id sit, quid fiet in arido?* I am sure there will be no more such Spring-Tides. But you will tell me, of a multitude of Families of the *Scottish Nation* in *Polonia*: And if they multiply in a Countrey, so far off, how much more here at hand? For that (Mr. *Speaker*) you must impute it, of necessity, to some speciall Accident of Time, and place, that draweth them thither. For you see plainly before your eyes, that in *Germany*, which is much nearer; And in *France*, where they are invited with priviledges, And with this very priviledge, of *Naturalization*, yet no such Number can be found. So as it cannot be, either nearness of place, or priviledge of Person, that it

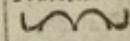
the Cause. But shall I tell you (*Mr. Speaker*,) what I think: of all the places in the World, near or far of, they will never take, that course of life, in this Kingdom, which they content themselves with, in *Poland*. For we see it, to be the Nature of all men, that they will rather discover Poverty abroad, than at home. There is never a Gentleman, that hath over-reached himself in Expence, and thereby must abate his Countenance, but he will rather travell, and do it abroad, than at home. And we know well, they have good high Stomacks, and have ever stood, in some terms, and Emulation, with us; And therefore they will never live here, except they can live in good fashion. So as I assure you (*Mr. Speaker*,) I am of Opinion, that the strife, which we now have to admit them, will have like Sequels, as that Contention had, betwene the Nobility, and People of *Rome*, for the admitting of a *Plebeian Consul*; which while it was in passing, was very vehement, and mightily stood upon: And when the People had obtained it, they never made any *Plebeian Consul*; No, not in 60. years after. And so will this be for many years, as I am perswaded, rather a Matter in Opinion, than in use, or effect: And this is the first Answer, that I give to this main Inconvenience, pretended, of Surcharge of People.

*A Speech in
Parliament
touching the
Naturali-
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the Scottish
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The Second answer, which I give to this Objection, is, this: I must have leave to doubt, (*Mr. Speaker*,) that this *Realm of England*, is not yet peopled to the full. For certain it is, that the Territories of *France*, *Italy*, *Flanders*, and some parts of *Germany*, do in equall space of Ground bear and contain a far greater Quantity of People, if they were mustred by the Poll. Neither can I see, that this Kingdom, is so much inferiour unto those forraign parts in fruitfulness, as it is in population; which makes me conceive, we have not our full charge. Besides, I do see manifestly among us, the Badges, and Tokens, rather of Scarcenesse, than of Prefs of People; as drowned Grounds, Commons, Wastes, and the like: Which is a plain Demonstration, that howsoever there may be an overswelling throng, and prefs of People, here about *London*, which is most in our Eye; yet the Body of the Kingdom, is but thin sown with People. And whosoever shall compare, the Ruines and Decays of ancient Towns, in this Realm, with the Erections, and Augmentations of new, cannot but judge, that this *Realm*, hath been far better peopled in former times; It may be in the Heptarchy or otherwise; For generally the Rule holdeth, *The smaller state the greater population, pro rata*. And whether, this be true or no, we need not seek further than to call to our remembrance, how many of us, serve here in this place, for desolate and decayed Burroughs. Again (*Mr. Speaker*,) whosoever looketh into the principles of Estate, must hold it, that it is the *Mediterrane Countries*, and not the *Maritime*, which need to fear surcharge of People. For all *Sea Provinces*, and specially *Islands*, have another Element, besides the Earth, and Soil, for their Sustainment. For what an infinite number of People are, and may be sustained by Fishing, Carriage by Sea, and Merchandizing? wherein, I do again discover, that we are not at all pinched, by multitude of People. For if we were, it were not possible that we should relinquish, and resign, such an infinite benefit of fishing to the *Flemmings*, as it is well known, we do. And therefore I see, that we have wastes by Sea, as well as by Land: which still is an infallible argument, that our Industry, is not awaked, to seek maintenance by any over great Prefs or charge of people.

A Speech in
Parliament
touching the
Naturali-
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the Scottish
Nation



And lastly (Mr. Speaker) there was never any Kingdom, in the Ages of the world, had, I think, so fair, and happy means to issue and discharge the multitude of their people, (if it were too great) as this Kingdom hath; in regard, of that desolate, and wasted Kingdom of Ireland; which (being a Countrey, blessed with almost all the Dowries of Nature; As Rivers, Havens, Woods, Quarries, good Soyl, and temperate Climate; And now at last, under his Majesty, blessed also with obedience) Doth, as it were, continually call unto us, for our Colonies, & Plantations. And so I conclude my second answer to this pretended Inconvenience of surcharge of People.

The third Answer, (Mr. Speaker) which I give, is this. I demand what is the worst Effect, which can follow of surcharge of People? Look into all stories, and you shall find it none other, than some Honourable War, for the enlargement of their Borders, which find themselves pent upon Forrain parts. Which Inconvenience, in a Valourous and Warlike Nation, I know not whether I should term, an Inconvenience, or no? For the saying is most true, though in another sense; *Omne solum Forti Patria*. It was spoken indeed, of the patience of an exil'd Man: But it is no less true, of the valour, of a Warlike Nation. And certainly, (Mr. Speaker,) I hope I may speak it without offence: That if we did hold our selves worthy, whensoever just Cause should be given, either to recover our ancient Rights; Or to revenge our late wrongs; Or to attain the Honour of our Ancestors; Or to enlarge the Patrimony of our Posterity; We would never in this manner forget Considerations of amplitude and greatness, and fall at variance, about profit, and reckonings; fitter a great deal, for private persons, than for Parliaments, and Kingdoms. And thus (Mr. Speaker,) I leave this first objection to such Satisfaction, as you have heard.

The second Objection is, that the Fundamental Laws of both these Kingdoms of England, and Scotland, are yet divers, and severall: Nay more, that it is declared, by the Instrument, that they shall so continue; and that there is no intent, in his Majesty, to make Innovation in them: and therefore, that it should not be seasonable to proceed to this Naturalization, whereby to endow them, with our Rights, and Priviledges, except they should likewise receive, and submit themselves, to our Laws. And this Objection likewise, (Mr. Speaker) I allow to be a weighty Objection, and worthy to be well answered, and discussed.

The answer, which I shall offer, is this. It is true, for mine own part, (Mr. Speaker,) that I wish, the Scottish Nation, governed by our Laws, For I hold our Laws, with some redicement, worthy to govern, if it were the World. But this is that which I say, and I desire therein your attention; That, according to true reason of Estate, Naturalization is, in Order, First: and precedent, to union of Laws; In degree, a less matter, than union of Laws; And, in Nature separable, not inseparable, from union of Laws. For Naturalization, doth but take out the Marks of a Forraigner; But union of Laws, makes them entirely as our selves: Naturalization taketh away separation; But union of Laws doth take away Distinction. Do we not see, (Mr. Speaker,) that in the administration of the world, under the great Monarch, God himself, that his Lawes are divers, one Law in Spirits, another in Bodies, one Law in Regions celestial, another in Elementary? And yet the Creatures, are all one Mass, and Lump, without any vacuum, or separation? Do we not see, likewise, in the State of the Church, that amongst People, of all Languages

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and Linages, there is one *Communio* of Saints? and that, we are all Fellow Citizens, and naturalized, of the Heavenly Hierusalem? and yet nevertheless, divers, and severall Ecclesiasticall Laws, Polices, and Hierarchies, according to the Speech, of that worthy Father; *In veste varietus sit, scissura non sit.* And therefore certainly, (Mr. Speaker,) the Bond of Law, is the more speciall, and private Bond, and the Bond of Naturalization, the more common, and general. For the Laws are rather *Figura Reip*, than *Forma*; and rather *Bonds of perfection*, than *Bonds of Entireness*. And therefore we see in the Experience of our own Government, that in the Kingdom of Ireland, all our Statute-Laws, since *Poynings Law*, are not in force; and yet we deny them not, the Benefit of Naturalization. In *Gersey*, *Garnsey*, and the *Isle of Man*, our Common-Laws are not in force; and yet they have the Benefit of Naturalization. Neither need any Man doubt, but that our Laws, and Customes, must, in small time gather, and win upon theirs. For here's the Sear of the Kingdom, whence come the supreme Directions of Estate, Here is the Kings Person, and Example, of which the Verse saith

Regis ad Exemplum totus componitur Orbis.

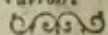
And therefore, it is not possible, although not by solemn, and formall act of Estates; yet by the secret Operation, of no long time, but they will come under the yoke of our Laws; and so *Dulcis tractus pari jugo*. And this is the answer, I give, to this second objection.

The third Objection, is some Inequality, in the Fortunes, of these two Nations, *England* and *Scotland*; By the Commixture whereof, there may ensue advantage to them, and Loss to us. Wherein, (Mr. Speaker) it is well, that this Difference, or Disparity, consisteth but in externall Goods of Fortune. For indeed it must needs be confessed, that for the Goods of the Mind, and the Body, they are *Alteri Nos*, *Other our selves*. For to do them right, we know in their Capacity, and understanding they are a people Ingenious, in Labour Industrious, in Courage Valliant, in Body Hard, Active, and Comely. More might be said, but in commending them, we do but in effect commend our selves: For they are of one Piece, and Continent with us: and truth is, we are participant, both of their Vertues, and Vices. For if they have been noted, to be a people not so tractable in Government, we cannot, without flattering our selves, free our selves altogether from that fault, being indeed, a thing incident, to all Martiall People. As we see it evident, by the example of the *Romans*, and others. Even like unto fierce Horses, that though they be, of better service then others, yet are they harder, to guide and to mannage.

But for this Objection, (Mr. Speaker) I purpose to answer it; Not by authority of Scripture, which saith. *Beatius est dare quam accipere*: But by an authority framed and derived from the judgement of our selves and our Ancestors, in the same case, as to this point. For (Mr. Speaker) in all the Line of our Kings, none useth to carry greater Commendation, then his Majesties Noble Progenitour, King *Edward* the first of that Name: and amongst his other commendations, both of War, and pollicy, none is more celebrated, then his purpose, and enterprise, for the Conquest of *Scotland*: as not bending his Designes to glorious acquets abroad, but to solid strength at home; which nevertheless if it had succeeded well, could not, but have brought in, all those inconveniences, of the Commixture of a more Opulent Kingdom, with a less that are now alledged,

A Speech in
Parliament
touching the
Naturali-
zation of
the Scottish
Nation.

A Speech in
Parliament,
touching the
Naturali-
zation of
the Scottish
Nation.

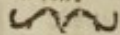


alleged. For it is not the Yoke either of our Arms, or of our Laws, that can alter the nature of the *Climate*, or the Nature of the *Soyl*: Neither is it the *Manner* of the *Commixture*, that can alter the *Matter* of *Commixture*. And therefore (Mr. *Speaker*) if it were good for us then, it is good for us now; and not to be prized the less, because we paid so dear for it. But a more full answer to this Objection, I refer over to that which will come after to be spoken, touching Surety, and Greatness.

The fourth Objection (Mr. *Speaker*) is not properly an Objection, but rather a preoccupation of an Objection, of the other side: for it may be said, and very materially, whereabouts do we contend? The benefit of *Naturalization* is by the Law, in as many as have been, or shall be born, since his *Majesties* Coming to the *Crown*, already settled, and invested. There is no more then, but to bring the *Ante-Nati*, into the Degree of the *Post-Nati*; that men grown, that have well deserved, may be in no worse case than children, which have not deserved: and Elder Brothers, in no worse case, than younger Brothers. So as we stand, upon *Quiddam*, not *Quantum*; being but a little difference of Time, of one Generation from another.

To this (Mr. *Speaker*) it is said by some; that the Law is not so, but the *Post Nati*, are Aliens, as well as the rest. Apoint that I mean not much to argue, both because it hath been well spoken to, by the Gentleman, that spake last before me; and because I do desire, in this Case, and in this place to speak rather of Convenience, than of Law. Onely this will I say, that that Opinion, seems to me contrary to reason of Law; Contrary to form of pleading in Law; and contrary to Authority and experience of Law. For reason of Law, when I meditate of it, Methinks the wisdom, of the Common Laws of *England*, well observed, is admirable in the distribution of the benefit, and protection, of the Laws; according to the severall conditions of Persons, in an excellent Proportion. The Degrees are four, but bipartite. Two of *Aliens*, and Two of *Subjects*. The first Degree, is of an *Alien*, born under a *King*, or *State*, that is an Enemy. If such an one come into this Kingdom without safe Conduct, it is at his perill: The Law giveth him no protection, neither for Body, Lands, nor Goods: So as if he be slain, there is no Remedy, by any appeal, at the parties sute, although his Wife were an *English* Woman: Marry at the *Kings* sute the Case may be otherwise, in regard of the offence to the *Peace*. The second Degree is of an *Alien* that is born under the faith, and allegiance of a *King* or *State*, that is a friend. Unto such a Person, the Law doth impart a greater benefit and protection; that is, concerning things personall, Transitory, and moveable; as Goods, and Chattels, Contracts, and the like: But not concerning freehold, and inheritance. And the reason is, because he may be an Enemy, though he be not. For the *State* under the Obeisance of which he is, may enter into Quarrell, and Hostility; And therefore, as the Law hath but a Transitory assurance of him, so it rewards him, but with Transitory Benefits. The third Degree, is, of a Subject, who having been an *Alien* is by *Charter* made *Denizen*. To such an one, the Law doth impart, yet a more ample Benefit: For it gives him power, to purchase Freehold and Inheritance to his own use: and likewise enables the Children born after his Denization to inherit. But yet nevertheless he cannot make Title, or convey Pedegree, from any Ancestour Paramount

*A Speech in
Parliament
touching the
Naturali-
zation of
the Scottish
Nation.*



mount. For the Law, thinks not good, to make him, in the same Degree, with a Subject born: Because he was an Alien, and so might once have been an Enemy. And *Nemo subito fingitur*: Mens affections cannot be so settled, by any Benefit, as when from their Nativity, they are inbred and inherent. And the fourth Degree, which is the perfect Degree, is of such a Person, that neither is Enemy, nor can be Enemy in time to come; Nor could have been Enemy at any time past; And therefore the Law gives unto him the full Benefit of *Naturalization*. Now, (Mr. Speaker) if these be the true steps, and paces of the Law, no Man can deny, but whosoever is born under the Kings Obedience, never could, in *Aliquo puncto temporis*, be an Enemy; (A *Rebell* he might be, but no Enemy) and therefore, in Reason of Law, is naturalized. Nay contrari-wise he is bound, *Jure Nativitatis*, to defend this Kingdom of England, against all Invaders or Rebels: and therefore as he is obliged, to the protection of Arms; And that perpetually, and universally; so is to have the perpetuall, and universall benefit and protection of Law, which is *Naturalization*.

For Form of *Pleading*, it is true, that hath been said; That if a Man, would plead another to be an *Alien*; he must not only set forth negatively, and privately, that he was born out of the Obedience of our Sovereign Lord the King; But affirmatively, under the Obedience, of a forraign King, or State, in particular; which never can be don in this case.

As for *Authority*, I will not press it; you know all what hath been published, by the Kings Proclamation.

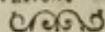
And for *Experience of Law*, we see it in the Subjects of Ireland; In the Subjects of *Gersey*, and *Gerusey*, parcels of the *Dutchy of Normandy*; In the Subjects of *Calleis*, (when it was *Englisb*) which was parcell of the Crown of *Fraunce*. But, as I said, I am not willing to enter into an *Argument of Law*, but to hold my self, point of *Convenience*.

So as, for my part, I hold all *Post-Nati*, Naturalised, *ipso Jure*. But yet, I am far from Opinion, that it should be a thing superfluous to have it done by *Parliament*; Chiefly, in respect, of that true principle, *Principum Aetione precipue ad Famam sunt componende*. It will keep up a Sign, to all the World, of our Love towards them, and good agreement with them. And these are (Mr. Speaker) the Materiall Objections which have been made of the other Side, whereunto you have heard mine answers: Weigh them in your Wisdomes, and so I conclude that General Part.

Now, (Mr. Speaker) according as I promised, I must fill the other Ballance, in expressing unto you the Inconveniences, which we shall Incur, if we shall not proceed to this *Naturalization*. Wherein that Inconvenience, which of all others, and alone by it self, if there were none other, doth exceedingly move me, and may move you, as a Position of Estate, collected out of the Records of Time, which is this: That wheresoever severall Kingdomes or Estates, have been united in Sovereignty; If that Union hath not been fortified, and bound in, with a further Union; and namely that, which is now in Question of *Naturalization*, this hath followed; That at one time or other, they have broken again, being upon all occasions apt to revolt, and relapse, to the former separation.

Of

A Speech in
Parliament,
touching the
Naturali-
zation of
the Scottish
Nation.



Of this Assertion, the first Example, which I will set before you, is of that memorable Union, which was between the Romans and the Latines, which continued, from the Battaille, at the Lake of Regilla, for many yeares, until the Consulships of T. Manlius and P. Decius. At what time there began, about this very point of Naturalization, that War, which was called *Bellum Sociale*, being the most Bloudy, and pernicious War, that ever the Roman State endured. Wherein after numbers of Battailles, and infinite Seiges, and Surprizes of Towns, the Romans in the end prevailed and mastered the Latines. But as soon as ever they had the Honour of the War, looking back into what Perdition, and confusion they were near to have been brought, they presently naturalized them all. You speak of a Naturalization in Elud, There was a Naturalization indeed in Bloud.

Let me set, before you again, the Example of Sparta, and the rest of Peloponnesus, their Associates. The State of Sparta, was a nice, and jealous State, in this point, of imparting Naturalization, to their Confederates, but what was the issue of it? After they had held them, in a kind of Society, and Amity, for divers years: upon the first occasion given, (which was no more, than the Surprize, of the Castle of Thebes, by certain desperate Conspiratours, in the habit of Masquers; There ensued immediately, a generall Revolt, and Defection, of their Associates; which was the Ruine of their State, never afterwards to be recovered.

Of later time, let me lead your Consideration to behold, the like Events, in the Kingdom of Arragon; which Kingdome was united with Castile, and the rest of Spain, in the persons of Ferdinando and Isabella; and so continued many years, But yet so as it stood a Kingdom, severed and divided from the rest of the Body of Spain, in priviledges: and directly, in this point of Naturalization, or capacity of Inheritance. What came of this? Thus much; that now of fresh Memory, not past twelve years since, onely upon the voice of a condemned Man, out of the Grate of a Prison, towards the Street, that cried *Fueros*, (which is as much as Liberties or Priviledges.) there was raised a dangerous Rebellion, which was suppressed with Difficulty, with an Army Royall, and their priviledges disannulled, and they incorporated, with the rest of Spain. Upon so small a Spark, notwithstanding so long continuance, were they ready to break and sever again.

The like may be said, of the States of Florence and Pisa: Which City of Pisa, being united unto Florence, but not endued with the Benefit of Naturalization, upon the first light of fortain assistance, by the Expedition of Charles the eighth of France into Italy, did revolt, though it be since again reunited, and incorporated.

The same effect, we see, in the most Barbarous Government, which shewes, it the rather, to be an effect of Nature. For it was thought, a fit Policy, by the Councell of Constantinople, to retain the three Provinces of Transylvania, Valachia, and Moldavia, (which were, as the very Nurles of Constantinople, in respect of their Provisions) to the end, they might be the less wasted, only under *Vayvods*, as Vassals and Homagers; and not under *Bassa's*, and Provinces of the Turkish Empire; Which Policy, we see by late experience, proved unfortunate, as appeared by the Revolt of the same three Provinces, under the Arms and Conduct of Sigismund, Prince of Transylvania, a Leader, very famous, for a time; which

which Revolt is, not yet fully recovered. Whereas we seldom, or never hear, of Revolts of Princes, incorporate, to the *Turkish Empire*.

On the other part, (Mr. *Speaker*) because it is true, which the *Logicians* say; *Opposita, juxta se posita, magis elucescunt*, let us take a view and we shall find; That wheresoever Kingdoms, and States, have been united; And that union Corroborate, by the Bond of mutuall *Naturalization*, you shall never observe them, afterwards, upon any occasion of trouble, or otherwise, to break and sever again: as we see, most evidently, before our eyes, in divers Provinces of *France*; That is to say, *Guien, Province, Normandy, Brittain*, which, notwithstanding, the infinite infesting Troubles, of that *Kingdom*, never offered to break again.

We see the like Effect, in all the Kingdoms, of *Spain*, which are mutually naturalized, as *Leon, Castile, Valencia, Andalusia, Granada*, and the rest: Except *Aragon*, which held the contrary Course, and therefore had the contrary success, as we said, and *Portugall*, of which there is not yet sufficient Triall.

And lastly, we see the like effect, in our own *Nation*, which never rent asunder, after it was once united, so as we now scarce know whether the *Heptarchy* were a *Story*, or *Fable*. And therefore (Mr. *Speaker*) when I revolve with my self, these Examples, and others, so lively expressing the necessity of a *Naturalization*, to avoid a relapse into a separation, and do heare so many Arguments, and Scruples, made on the other side; It makes me think on the old *Bishop*, which upon a publick Disputation of certain *Divines, Christians*, with some learned men of the *Heathen*, did extremely presse to be heard; and they were loath to suffer him, because they knew he was unlearned, though otherwise an Holy and well-meaning Man; But at last, with much ado, he got to be heard. And when he came to speak, instead of using Arguments, he did only say over his Belief: But did it with such assurance, and Constancy, as it did strike the minds, of those that heard him, more then any Argument had done. And so (Mr. *Speaker*,) against all these witty and subtile arguments, I say that I do believe, and I would be sorry to be found a Prophet in it; That except we proceed, with this *Naturalization* (Though not perhaps in his *Majesties* time, who hath such Interest in both Nations) yet in the time of his Descendants, these *Realms* will be in continuall Danger, to divide and break again. Now if any Man, be of that carelesse mind.

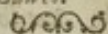
—*Maneat nostris ea cura Nepotes,*

Or of that hard mind, to leave things to be tried, by the sharpest Sword sure I am, he is not of Saint *Pauls* Opinion, who affirmeth, that whosoever, useth not *Fore-sight*, and Provision for his *Family*, is worse than an *unbeliever*: Much more, if we shall not use fore-sight for these two *Kingdoms*, that comprehend so many *Families*: But leave things open, to the perill of future Divisions. And thus have I expressed unto you in the *Inconvenience*, which of all other, sinketh deepest with me, as the most weighty.

Neither do there want, other *Inconveniences* (Mr. *Speaker*) the Effect, and Influence whereof, I fear, will not be adjourned to so long a Day, as this, that I have spoken of. For I leave it to your wisdom, to consider whether you do not think in case by the deniall of this *Naturalization*,

A Speech in
Parliament
touching the
Naturali-
zation of
the Scottish
Nation.

A Speech in
Parliament,
touching the
Union of
Laws.



any Pike of Alienation, or unkindness (I do not say) should be thought to be, or noised to be, betweene these two Nations; whether it will not quicken, and excite all the Envious and Malicious Humours, where-soever (which are now covered) against us, either forraign, or at home; and so open the way to practises, and other Engines, and Machinations, to the Disturbance, of this State. As for that other Inconvenience of his *Majesties* Engagement, into this action, it is too binding, and pressing, to be spoken of, and may do better a great deal, in your Minds, then in my Mouth; Or in the mouth of any man else, because, as I say it doth press, our Liberty too far. And therefore (Mr. Speaker) I come now to the third generall part of my Division, concerning the *Benefits*, which we shall purchase, by this knitting of the knot, surer, and streighter, between these two Kingdomes, by the Communicating of *naturalization*.

The *Benefits* may appear to be two; The one *Surety*, the other *Greatness*. Touching *Surety* (Mr. Speaker) it was well said by *Titus Quintius*, the *Roman*, touching the state of *Peloponnesus*; *That the Tortois is safe within her shell: Testudo intra Tegumen tuta est.* But if there be any Parts, that lye open, they endanger all the rest. We know well, that although the State, at this time, be in a happy peace, Yet for the time past, the more *Ancient* Enemy, to this Kingdom, hath been the *French*; and the more late, the *Spaniard*: And both these, had, as it were, their severall postern Gates; whereby, they might have approach, and entrance, to annoy us. *France* had *Scotland*, and *Spain*, had *Ireland*: For these were the two accessses which did comfort, and encourage both these Enemies to assail, and trouble us. We see, that of *Scotland*, is cut off, by the *Union*, of both these Kingdoms, if that it shall be now made constant, and permanent. That of *Ireland*, is likewise cut off by the convenient situation, of the *North* of *Scotland*, toward the *North* of *Ireland* where the *Sore* was, Which we see being suddainly closed, hath continued closed, by means of this *Salve*; so as now, there are no parts of this State, exposed to Danger, to be a Temptation to the ambition of *Forrainers*, but their approaches and avenues are taken away. (For I do little doubt, but those *Forrainers*, which had so little successe when they had these advantages, will have much less comfort now, that they be taken from them. And so much for *Surety*.)

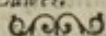
For *Greatness* (Mr. Speaker) I think a man may speak it soberly, and without Bravery; That this Kingdom of *England*, having *Scotland* united, *Ireland* reduced, the Sea Provinces of the *Low-Countries* contracted, and *Shipping* maintained; Is one of the greatest Monarchies, in Forces truly esteemed, that hath been in the *World*. For certainly, the Kingdoms here on *Earth* have a Resemblance with the Kingdom of *Heaven*, which our *Saviour* compareth not to any great *Kernell*, or *Nut*, but to a very small *Grain*, yet such an one is as apt, to grow, and spread. And such do I take to be the Constitution of this Kingdom; If indeed we shall refer our Counsels, to *Greatness*, and *Power* and not quench them too much with Consideration of *Utility*, and *Wealth*. For (Mr. Speaker) was it not think you a true answer, that *Solon* of *Greece* made to the Rich King *Cresus* of *Lydia*, when he shewed unto him, a great Quantity of Gold that he had gathered together, in Ostentation of his *Greatness* and *Might*? But *Solon* said to him, contrary to his Expectation; *Why Sir, if another come that hath better Iron than you, he will be Lord of all your Gold.*

Gold. Neither is the authority of *Machiavell* to be despised who scorneth the *Proverb* of estate taken first from a Speech of *Mucianus*; That *Moneys are the Sinews of War*: and saith, *There are no true Sinews of War, but the very Sinews of the Arms of valiant Men*. Nay more, (Mr. Speaker) whosoever shall look, into the Seminaries and Beginings of the *Monarchies* of the *World*, he shall find them founded in Poverty. *Persia* a Country barren and poor in respect of the *Medes*, whom they subdued. *Macedone* a Kingdom ignoble and Mercenary, untill the Time of *Philip*, the Son of *Amyntas*. *Rome* had poor and pastoral beginnings. The *Turks*, a Band of *Sarmatian Scythes* that in a vagabond manner, made Impression upon that part of *Asia*, which is yet called *Turcomania*. Out of which after much variety of Fortune, sprung the *Ottoman Family* now the Terror of the *World*. So we know the *Goths*, *Huns*, *Vandals*, *Alans*; *Lombards*, *Normans*, and the rest of the *Northerne People* in one age of the *World* made their Descent or Expedition upon the *Roman Empire*; and came not as *Rovers*, to carry away prey, and be gon again; But planted themselves in a number of fruitfull and rich *Provinces*; Where not only their *Generations* but their *Names* remain, till this Day: witness *Lombardy*, *Catalonia* a name compounded of *Goth* and *Alane*, *Andalusia* a name corrupted from *Vandelicia*, *Hungary*, *Normandy*, and others. Nay, the Fortune of the *Swizzes*, of late years (which are bred in a barren, and Mountainous Country) is not to be forgotten; Who first ruined the *Duke of Burgandy*; The same who had almost ruined the *Kingdom of France*: what time after the *Battail of Granfon*, the Rich Jewell of *Burgandy* prized at many Thousands, was sold for a few pence, by a common *Swizze*, that knew no more what a Jewell ment than did *Esops Cock*. And again the same Nation in revenge of a scorn, was the Ruine of the *French Kings* affaires in *Italy*, *Lewis* the 12. For that King when he was pressed somewhat rudely by an Agent of the *Swizzes*, to raise their pensions brake into Words of Choller; What (said he) will these Villaines of the Mountains put a Tax upon me? which words, lost him his *Dutchy of Millain* and chased him out of *Italy*. All which examples (Mr. Speaker) do well prove *Solons* opinion of the authority and Mastry that *Iron* hath over *Gold*. And therefore if I shall speak unto you mine own Heart; Me thinks we should a little disdain that the Nation of *Spain* (which, howsoever of late it hath grown to Rule, yet of ancient time served many Ages; First under *Carthage*, then under *Rome*, after under *Sarazens*, *Goths*, and others) should of late yeares take unto themselves that Spirit, as to dream of a *Monarchy* in the *West*, according to that Devise; *Videò Solem Orientem in Occidente*: Onely, because they have ravished from some wilde and unarmed People, Mines, and Store of Gold, and on the other side, that this Island of *Britanny*, seated, and manned as it is, and that hath (I make no question) the best *Iron* in the world, (That is, the best *Souldiers* of the world,) should think of nothing but *Reckonings*, and *Audits*, and *Meum* and *Tuum* and I cannot tell what.

Mr. Speaker) I have (I take it) gone through the parts which I propounded to my Self; Wherein, if any Man, shall think that I have sung *Placebo*; For mine own particular, I would have him know that I am not so unseen in the world, but that I discern, it were much alike, for my private fortune, to rest a *Tacebo*, as to sing a *Placebo*, in this Business. But I have spoken out of the Fountain of my Heart: *Credidi, propter quod locutus sum* I believed, therefore I spake. So as my Duty is performed; the Judgment is yours, God direct it for the best.

A Speech in
Parliament
touching the
Naturali-
zation of
the Scottish
Nation.

A Speech in
Parliament,
touching the
Union of
Laws.



A Speech made by Sir FRANCIS BACON in the
Lower House of Parliament, by occasion of a Motion, con-
cerning the Union of Laws.

AND it please you, (Mr. Speaker) were it now a time to wish,
As it is to advise, no Man should be more forward, or more
earnest, than my self, in this wish; That his Majesties Subjects of Eng-
land and Scotland, were governed by one Law; and that for many
Reasons.

First, because it will be an infallible assurance, that there will never be
any Relapse, in succeeding ages, to a separation.

Secondly, *Dulcis tractus pari Jugo*: If the Draught lye most upon us
and the Yoke lightest upon them, is not equall.

Thirdly, the *Qualities*, and (as I may term it) the *Elements* of their
Laws, and ours, are such as do promise, an excellent Temperature in the
compounded Body: For if the *Prerogative* here be too indefinite, it may
be the *Liberty* there is too unbounded: If our *Laws* and proceedings be
too Prolixe and Formall; it may be theirs are too informall, and Sum-
mary.

Fourthly, I do discern, to my understanding, there will be no great
Difficulty in this work. For their *Laws*, by that I can learn, compared
with ours, are like their *Language*, compared with ours. For as their
Language hath the same *Roots* that ours hath, but hath a little more mixture
of *Latine* and *French*; So their *Laws* and *Customes* have the like *Grounds*
that ours have, with a little more mixture of the *Civill Law*, and *French*
Customes.

Lastly, the *Mean* to this work, seemeth to me no lesse excellent, than
the *Work* it selfe: For if both *Laws* shall be united, it is of necessity, for
preparation and Inducement thereunto, that our own *Laws* be reviewed,
and recompiled, then which, I think, there cannot be a work that
his Majesty can undertake in these his times of Peace, more Politique,
more Honourable, nor more Beneficiall to his Subjects, for all Ages.

Pace data Terris, Animum ad Civilita Vertit

Jura suum, Legesque tulit justissimus Auctor.

For this continuall Heaping up of *Laws*, without digesting them,
maketh but a *Chaos* and *Confusion*: And turneth the *Laws*, many
times, to become but *Snares* for the people, as is said in the Scripture,
Plures super eos Laqueos. Now, *Non sunt peiores Laquei, quam Laquei Le-
gum*. And therefore, this work I esteem to be indeed a work, (rightly
to term it) *Heroicall*. So that for this good wish, of Union of *Laws*,
I do consent to the full, and I think you may perceive by that which I
have said, that I come not in this, to the opinion of others, but that
I was long ago settled in it my self. Nevertheless, as this is moved out
of Zeal, so, I take it, to be moved out of Time; as commonly zealous
Motions are: while men are so fast carried on to the end, as they give
no attention to the mean. For if it be *Time*, to talk of this now, It is
either

either because the business, now in hand cannot proceed without it, or because in time, and Order, this Matter should be precedent, or because, we shall leese some advantage towards this effect, so much desired, if we should go on in the course, we are about. But none of these three, in my judgement, are true, and therefore the Motion as I said, unreasonable.

For first, that there may not be a *Naturalization* without an *Union* in *Laws*, cannot be maintained. Look into the Example of the *Church*; And the *Union* thereof, You shall see severall *Churches* that joyn in one *Faith*, one *Baptism*, (which are the points of spiritual *Naturalization*,) do, many times, in *Policy*, *Constitutions*, and *Customes*, differ. And therefore, one of the *Fathers* made an excellent observation upon the two *Mysteries*: The one, that in the *Gospel*, where the *Garment* of *Christ*, is said to have been without *Seam*, the other, that in the *Psalm*, where the *Garment*, of of the *Queen* is said, to have been of divers *Colours*, And concludeth, *In veste Varietas fit, Scissura non fit*. So, in this Case, (Mr. *Speaker*) we are now in hand, to make this *Monarchy* of one *Piece*, and not of one *Colour*. Look again, into the Examples, of *Forrain Countries* and take, that next us, of *France*, And there you shall find, that they have this *Distribution*; *Pais du droit Escript*, and *Pais du droit Consumier*. For *Gascoigne*, *Languedock*, *Province*, *Daulphenie*, are *Countries*, governed by the *Letter*, or *Text* of the *Civill Law*: But the *Isle* of *France* *Tourain*, *Berry*, *Anjou*, and the rest, and most of all *Brittain* and *Normandy*, Are governed by *Customes*, which amount unto a *Municipal Law*, and use the *Civill Law*, but onely for *Grounds*, and to decide new and rare *Cases*, and yet nevertheless *Naturalization* passeth through all.

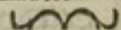
Secondly, that this *Union* of *Laws*, should precede the *Naturalization* or that it should go on *pari passu*, hand in hand, I suppose, likewise, can hardly be maintained: But the contrary, that *Naturalization* ought to precede. Of which my opinion, as I could yield many reasons, so because all this, is but a *Digression*, and therefore ought to be short, I will hold my self now onely to one, which is briefly and plainly this: That the *Union* of *Laws*, will ask a great *Time* to be perfected, both for the *Compiling* and for the *Passing*: Dureing all which time, if this *Mark* of *Strangers*, should be denied to be taken away, I fear it may induce, such a *Habit* of *Strangeness* as will rather be an impediment, than a preparation to further proceeding. For he was a wise Man that said, *Opportuni Magnis Conatibus Transitus Rerum*. And in thole cases, *Non progredi est Regredi*. An like, as in a pair of *Tables* you must put out the former writing, before you can put in new; and again, that which you write in, you write *Letter* by *Letter*, But that which you put out, you put out at once: So we have now to deal with the *Tables* of *Mens* hearts wherein it is in vain to think you can enter, the willing acceptance of of our *Laws* and *Customs*, except you first put forth all *Notes* either of *Hostility* or *Forrain Condition*. And these are to be put out, *simul et semel*, at once, without *Gradations*, whereas the other points are to be imprinted and engraven distinctly, and by degrees.

Thirdly, whereas it is conceived by some, that the *Communication*, of our *Benefits*, and *priviledges*, is a good hold, that we have over them to draw them to submit themselves to our *Laws*: It is an *Argument* of some probability, but yet to be answered many wayes. For first, the *Intent* is mistaken, which is not, as I conceive it, to draw them whol-

A Speech in
Parliament
touching the
Union of
Laws.

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A Speech in
Parliament
touching the
Union of
Laws.



ly, to a Subjection to our Laws, but to draw both Nations, to one uniformity of Law. Again to think, that there should be a kind of Articulate, and indented Contract, that they should receive our Laws, to obtain our priviledges: it is a matter in reason of estate not to be expected; Being that which scarcely a private Man will acknowledge, if it come to that, whereof *Seneca* speaketh; *Beneficium accipere, est Libertatem vendere*: No but courses of estate do describe and delineate another way; Which is to win them, either by benefit, or Custome. For we see in all Creatures, that men do Feed them first, and Reclaim them after. And so in the first institution of Kingdomes, Kings did first win People, by many Benefits, and Protections, before they prest any Yoke. And for Custome which the Poets call, *Imponere Morem*: Who doubts, but that the Seat of the Kingdom and the Example of the King, resting here with us, our Manners will quickly be there, to make all things ready for our Laws.

And lastly, the Naturalization, which is now propounded, is qualified, with such Restrictions, as there will be enough kept back to be used at all times for an Adamant, of drawing them further on to our Desires. And therefore, to conclude, I hold this Motion, of Union of Laws, very worthy, and arising from very good Minds, but not proper for this Time.

To come therefore to that, which is now in Question: It is no more but whither there should be a Difference made, in this priviledge of Naturalization, between the *Anti-Nati*, and the *Post-Nati*; Not in point of Law, (for that will otherwise be decided,) but only in point of Convenience; [As if a Law, were now to be made, *de novo*.] In which Question I will at this time onely answer two Objections; And use two Arguments, and so leave it to your Judgment.

The first Objection hath been; That if a Difference, should be, it ought to be in favour of the *Ante-Nati*; Because, they are Persons of Merit, Service, and Proof; whereas the *Post-Nati* are Infants, that (as the Scripture saith,) know not the Right hand from the left.

This were good Reason (Mr. Speaker) if the Question were of Naturalizing some particular persons, by a private Bill: But it hath no proportion, with the generall Case. For now, we are not to look to respects, that are proper to some, but to those, which are common to all. Now then, how can it be imagined, but that those that took their first Breath, since this happy Union inherent in his Majesties Person, must be more assured, and affectionate to this Kingdom, than those generally can be presumed to be, which were sometimes Strangers? For, *Nemo subito fingitur*: The Conversions of Minds are not so swift, as the Conversions of Times. Nay, in Effects of Grace, which exceed far the Effects of Nature, we see Saint Paul, makes a difference between those he calls *Neophytes*; That is newly grafted into Christianity; And those that are brought up in the Faith. And so we see by the Lawes of the Church, that the Children of Christians shall be Baptized, in regard, of the Faith of their Parents; But the Child of an *Ethnick*, may not receive Baptism, till he be able, to make an understanding Profession of his Faith.

Another Objection hath been made; That we ought to be more provident, and reserved to restrain the *Post-Nati*, than the *Ante-Nati*: Because, during his Majesties time, being a Prince of so approved Wisdom, and Judgement, we need no better Caution, than the Confidence we may repose

repose in him: But in the Future *Reignes*, of succeeding Ages our Caution must be in *Re*, and not in *Persona*.

But, (Mr. *Speaker*) to this I answer; That as we cannot expect a *Prince* hereafter, less like to erre, in respect of his Judgement, so again, we cannot expect a *Prince*, so like to exceed (if I may so term it) in this point of Beneficence to that Nation, in respect of the occasion. For whereas all *Princes*, and all Men are won, either by Merit, or Conversation, there is no Appearance, that any of his *Majesties Descendants*, can have either of these Causes of Bounry, towards that Nation, in so ample Degree, as his *Majesty* hath. And these be, the two *Objections*, which seemed to me most materiall, why the *Post-Nati*, should be left free, and not be concluded, in the same Restrictions, with the *Ante-Nati*, whereunto you have heard the Answers.

The two Reasons which I will use, on the other side, are briefly these. The one, being a Reason of Common Sense; The other a Reason of Estate. We see (Mr. *Speaker*) the Time of the Nativity, is in most Cases, principally regarded. In Nature, the time of planting, and setting, is chiefly observed. And we see the *Astrologers*, pretend to judge of the Fortune of the Party, by the Time of the Nativity. In Lawes, we may not unfitly apply the Case of *Legitimation*, to the Case of *Naturalization*. For it is true, that the *Common Canon Law*, doth put the *Ante-Natus*, and the *Post-Natus* in one Degree; But when it was moved, to the Parliament of England; *Barones una voce responderunt, Nolumus Leges Anglie mutare*. And though, it must be confessed that the *Ante-Nati*, and *Post-Nati*, are in the same Degree, in *Dignities*, yet were they never so, in *Abilities*: For no Man doubts, but the Son of an *Earl*, or *Baron*, before his Creation or Call, shall inherit the *Dignity*, as well as the Son born after.

But the Son of an *Attainted Person*, born before the Attainder, shall not inherit, as the After born shall: notwithstanding *Charter of Pardon*.

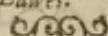
The Reason of Estate is; That any Restriction of the *Ante-Nati*, is Temporary; And expireth with this Generation: But if you make it in the *Post-Nati* also, you do, but in substance, pen, a perpetuity of Separation.

(Mr. *Speaker*) in this point, I have been short, because I little expected this Doubt as to point of Convenience: And therefore will not much labour, where I suppose there is no greater Opposition.

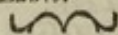
A Report made by Sir FRANCIS BACON Knight, in the House of Commons, of a Speech delivered by the Earl of Salisbury, And another Speech delivered by the Earl of Northampton, at a Conference concerning the Petition of the Merchants, upon the Spanish grievances, Parliament 5. Jacobi.

And it please you, (Mr. *Speaker*;) I do not find my self, any wayes bound to report that which passed, at the last conference, touching the Spanish Grievances, having been neither employed to speak, nor appointed to Report in that Cause. But because it is put upon me, by a
silent

A Speech in
Parliament
touching the
Union of
Lawes.



A Speech in
Parliament
touching the
Union of
Laws.



silent Expectation, grounded upon nothing, (that I know,) more than that I was observed, diligently to take notes; I am content, (if that Provision, which I made for mine own Remembrance, may serve this House for a Report,) not to deny you that *Sheafe*, that I have, in hast bound up. It is true, that one of his Majesties Principal Counsellours in Causes of Estate, did use a Speech, that contained a World of Matter: But now, I shall be able to make a Globe of that World, therein I fear mine own strength.

His Lordship took the occasion of this, which I shall now report, upon the Answer which was by us made, to the Amendments, propounded, upon the Bill of *Hostile Laws*; Quitting that *Business*, with these few words; That he would discharge our Expectation of Reply, because their Lordships had no Warrant to Dispute. Then, continuing his Speech, he fell into this other Cause, and said; That being now to make Answer to a proposition of ours, as we had done to one of theirs, he wished it could be passed over with like Brevity. But he did foresee his way, that it would prove not only long, but likewise hard to find, and hard to keep: This Cause being so to be carried, as aboveall, no wrong be done to the Kings Sovereignty and Authority: And in the second place, no Misunderstanding do ensue between the two Houses. And therefore, that he hoped, his words should receive a benign Interpretation; Knowing well that pursuit and Drift of Speech, and multitude of Matter, might breed words to pass from him beyond the Compass of his Intention: And therefore he placed more Assurance and Caution, in the Innocency of his own meaning, and in the Experience of his Favours, then in any his Wariness or Watchfulness over his own Speech.

This respective preface used, his Lordship descended to the Matter it self, which he divided into three Considerations: For, he said, he would consider of the *Petition*.

First, as it proceeded from the *Merchants*.

Secondly, as from them, it was offered to the *Lower House*.

And thirdly, as from the *Lower House*, it was recommended to the *Higher House*.

In the First of these Considerations there fell out naturally a Subdivision, into the *Persons* of the Petitioners; and the Matter and *Parts* of the Petition. In the Persons of the *Merchants*, his Lordship made (as I have collected them) in number, eight Observations; whereof the three first respected the General Condition of *Merchants*; And the five following were applied to the particular Circumstances of the *Merchants* now complaining.

His Lordships first general Observation, was; That *Merchants* were of two sorts: The one sought their Fortunes (as the verse saith) *per Saxa, per Ignem*: And, as it is said in the same place, *Extremos currit Mercator ad Indis*; Subjecting themselves to Weather and Tempest; To Absence, and, as it were, Exile, out of their Native Countries; To Arrests, in Entrances of War; To Forraign Injustice, and Rigour, in times of Peace; And many other Suffrances and Adventures. But that there were others, that took a more safe, but a less generous Course in raising their Fortunes. He taxed none, but did attribute much more respect to the former.

The second General Observation which his Lordship made was, That the Complaints of *Merchants*, were usually subject to much Errour: In regard, that they spake (for the most part) but upon Information; And that carried through many Hands; And of Matters done in Remote parts: So as, a false, or factious Factor, might oftentimes make great Tragedies, upon no great Ground. Whereof, towards the End of his Speech, he brought an Instance,

of one trading the *Levant*; That complained of an Arrest of his Ship, And possessed the *Counsell-Table*, with the same complaint, in a vehement, and bitter fashion; Desiring and pressing some present and Expostulatory Letters, touching the same. Whereupon, some *Counsellours*, well acquainted with the like Heats, and forwardness, in Complaints, happened to say to him, Out of Conjecture, and not out of any Intelligence *What will you say if your Ship, which you complain to be under Arrest, be now under Sail, in way homewards?* Which fell out accordingly: The same Person confessing, six dayes after, to the Lords, that she was indeed in her way homewards.

The third generall *Observation*, which his *Lordship* made, was this, in Effect: That although he granted, that the Wealth, and Welfare of the *Merchant*, was not without a Sympathy, with the generall Stock, and State of a Nation, especially an *Island*, yet nevertheless, it was a thing, too familiar, with the *Merchant*, to make the Case of his particular profit, the publick Case of the *Kingdom*.

There follow, the particular *Observations*, which have a reference, and application, to the *Merchants*, that trade to *Spain*, and the *Levant*. Wherein his *Lordship*, did first, honourably, and tenderly, acknowledge, that their *Grievances* were great. That they did multiply; And that they do deserve, compassion, and help; But yet nevertheless, that he must use that loving plainness to them, as to tell them that in many things, they were Authors of their own miseries. For since the dissolving of the *Company*, which was termed the *Monopoly*; And was set free, by the special Instance of this *House*, there hath followed, such a Confusion, and Relaxation, in Order, and Government amongst them; As they do not only incur many Inconveniences, and commit many Errours; But in the pursutes of their own Remedies, and suites, they do it so impolitiquely, and after such a Fashion, as except, *Legier Embassadors* (which are the eyes of Kings in forrain parts,) should leave their Centinell, and become *Merchants Factors*, and Sollicitours, their Causes can hardly prosper. And which is more, such is now the Confusion in the Trade, as Shop-keepers and Handy-Craft-Men, become *Merchants* there; Who being bound, to no Orders, seek base means by Gifts and Bribery, to procure favours at the hands of Officers there. So as the honest *Merchant* that trades like a substantiall *Merchant*, and loves not to take servile Courses, to buy the Right due to him, by the Amity of the Princes, can have no Justice without treading in their steps.

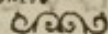
Secondly, his *Lordship* did observe some Improbability, that the wrongs should be so great, considering Trading, into those parts was never greater; *whereas* if the wrongs, and griefs, were so intollerable, and continuall, as they propound them; It would work, rather a generall Discouragement, and Coldness of Trade, in *Fact*, than an earnest, and hot Complaint, in *Words*.

Thirdly, his *Lordship* did observe, that it is a course, (howsoever, it may be with a good intent) yet of no small presumption, for *Merchants* upon their particular *Grievances*, to urge things tending to a direct War, considering that nothing is more usual in Treaties, then that such particular Damages, and Molestations of Subjects, are left to a Form of Justice, to be righted: And that the more high Articles, do retain, nevertheless their vigour inviolably; And that the great Bargain of the *Kingdome*, for War, and Peace, may, in no wise, depend, upon such petty Forfeitures; No more, than in common Assurance, between Man and Man, it were fit that

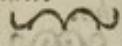
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A Report in the House of Commons, of the Earle of Salisburies, and the Earl of Northampton's Speeches.



A Report, in
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Commons, of
the Earl of
Salisbury,
and the
Earl of
Northamp-
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upon every breach of Covenants, there should be limited a Re-entry.

Fourthly, his Lordship did observe, in the manner of preferring their Petition, they had inverted due order, addressing themselves to the *Foot*, and not to the *Head*. For considering that they prayed no new Law, for their Relief, and that it concerned, Matter of Inducement, to War, or Peace, They ought to have begun with his Majesty, unto whose Royal Judgment, Power, and Office, did properly belong the discerning of that, which was desired, the putting in Act of that which might be granted; And the Thanks for that which might be obtained.

Fifthly, his Lordship did observe; That, as they had not preferred their Petition as it should be; So they had not pursued their own Direction, as it was. For, having directed their Petition to the King, the Lords spiritual and Temporal, and the Commons in Parliament assembled; It imported, as if they had offered the like Petition to the Lords; which they never did, Contrary, not only to their own Direction, but likewise to our Concept, who presupposed, (as it should seem, by some speech, that passed from us, at a former Conference;) That they had offered, several Petitions, of like tenour, to both Houses. So have you now, those eight Observations, part General part Special, which his Lordship made touching the Persons of those, which exhibited the Petition, and the Circumstances of the same.

For the Matter of the Petition itself, his Lordship made this Division; That it consisteth of three parts.

First, of the Complaints of wrongs in Fact.

Secondly, of the Complaints of wrongs in Law, as they may be truly termed, that is, of the Inequality of Lawes, which do regulate the Trade.

And thirdly, the remedy desired by letters of Mart.

The wrongs, in Fact, receive a local Distribution of three. In the Trade to Spain; In the Trade to the West Indies; And in the Trade to the Levant.

Concerning the Trade to Spain: Although his Lordship did use, much signification, of compassion, of the Injuries, which the Merchants received; and attributed so much, to their Profession, and Estate, as from such a mouth in such a Presence, they ought to receive, for a great deal, of Honour, and Comfort (which Kind of Demonstration, he did enterlace, throughout his whole Speech, as proceeding, *Ex Abundantia Cordis*) yet nevertheless, he did remember four Excusations, or rather Extenuations of those wrongs,

The first was, that the Injustices, complained of, were not in the Highest Degree, because they were Delays, and hard proceedings, and not Inique Sentences, or definitive Condemnations. Wherein I called to mind, what I heard a great Bishop say, that Courts of Justice, though they did not turn Justice into Wormwood, by Corruption; yet they turned it into Vinegar, by delays, which sowered it. Such a Difference did his Lordship make which, no question, is a Difference, *secundum Magis & Minus*.

Secondly his Lordship ascribed these Delays, not so much to Mallice, or Alienation of mind towards us, as to the Nature of the People, and Nation, which is Proud, and therefore Dilatory: For all proud Men are full of Delays, and must be waited on, and specially, to the Multitudes, and Diversities of Tribunals, and places of Justice, and the Number of the Kings Councils, full of Referrings, which ever prove of necessity, to be deferrings; Besides, the great distance of Territories. All which have made the Delays of Spain to come into a Byword, through the World. Wherein I think his Lordship might allude to the Proverb of Italy, *Me vengala Morte di Spagna*. Let my Death come from Spain: For then, it is sure to be long a coming.

Thirdly

Thirdly, his Lordship did use an Extenuation of these wrongs, drawn from the Nature of Man (*Nemo subito fingitur*) For that we must make an account; That though the Fire of Enmity be out between Spain, and us, yet it vapoureth: The utter extinguishing whereof, must be the work of Time.

But lastly, his Lordship did fall upon that Extenuation, which of all the rest, was forcible; which was, that many of these wrongs were not sustained without some Asperision of the Merchants own Fault, in ministering the Occasion, which grew chiefly in this manner.

There is contained, an Article, in the Treaty between Spain and us; That we shall not transport any Native Commodities, of the Low-Countries, into Spain: Nay more, that we shall not transport any *Opificia*; *Manufactures* of the same Countreys. So that if an English Cloath take but a Dye in the Low-Countries, it may not be transported by the English: And the reason is, because even those *Manufactures*, although the Materiall come from other places, do yield unto them a Profit and Sustentation in regard their People are set on work by them, they have a gain likewise in the Price; And they have a Custom in the Transporting. All which the Pollicy of Spain is to debar them of; Being no less desirous, to Suffocate the Trade of the Low-Countries, then to reduce their Obedience. This Article, the English Merchant, either doth not, or will not understand: But being drawn with his threefold Cord of Love, Hate, and Gain, They do adventure to transport the Low-Country Commodities, of these natures; And so draw upon themselves these Arrests and Troubles.

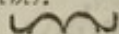
For the Trade to the Indies; His Lordship did discover unto us, the state of it to be thus. The Pollicy of Spain doth keep that Treasury of theirs, under such Lock and Key, as both Confederates, yea, and Subjects are excluded of Trade into those Countreys: Insomuch as the French King, who hath reason to stand upon equall termes with Spain, yet nevertheless, is by expresse Capitulation debarred. The Subjects of Portugall, whom the State of Spain, hath studied by all means to content, are likewise debarred: Such a vigilant Dragon is there, that keepeth this Golden Fleete: yet nevertheless, such was his Majesties Magnanimity in the Debate, and Conclusion of the last Treaty; As he would never condescend to any Article, importing the Exclusion, of his Subjects, from that Trade: As a Prince that would not acknowledge that any such Right could grow to the Crown of Spain, by the Donative of the Pope; whose Authority he Disclaimeth: Or by the Title of a dispersed and punctuall Occupation of certain Territories, in the name of the rest: But stood firm to reserve that point in full Question to further times, and occasions. So as it is left by the Treaty in suspence, neither debarred, nor permitted. The tenderness, and point of Honour whereof was such, as they, that went thither, must run at their own Perill. Nay futher, his Lordship affirmed; That if yet, at this time his Majesty would descend to a course of entreaty, for the release of the Arrests in those parts, and so confess an Exclusion; And quit the point of Honour, his Majesty might have them forthwith released: And yet his Lordship added, that the Offences, and Scandalls of some, had made this point worse than it was, in regard, that this very last Voyage to Virginia intended for Trade and Plantation; Where the Spaniard hath no People nor Possession, is already become inflamed for Piracy. Witness Pingley, who first insinuating his purpose to be an Actour, in that worthy Action of Enlarging Trade and Plantation, is become a Pirate; And hath been so pursued as his Ship is taken in Ireland, though his person is not yet in hold.

For the Trade to the Levant his Lordship opened unto us that the Complaint

A Report in
the House of
Commons, of
the Earle of
Salisburies,
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Earl of
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CCXXV

A Report, in
the House of
Commons, of
the Earl of
Salisbury,
and the
Earle of
Northampton
Speeches.



consisted, in effect, but of two Particulars: The one touching the Arrest of a Ship, called the *Trial*, in *Sicely*; The other, of a Ship called the *Vineyard*, in *Sardinia*. The First of which Arrests, was upon pretence of *Pyracy*: The Second, upon pretence of carrying *Ordnance* and *Powder* to the *Turk*. That *Process*, concerning the *Trial*, hath been at the *Merchants* instance drawn to a Review in *Spain*, which is a Favour of exceeding rare President; being directly against the Liberties and Priviledges of *Sicely*. That of the *Vineyard*, notwithstanding it be of that nature, as (if it should be true) tendeth to the great Dishonour of our Nation; (whereof Hold hath been already taken by the *French Ambassadors*, residing at *Constantinople*; Who entred into a scandalous Expostulation with his *Majesties Ambassadors* there, upon that and the like Transportations of Munition to the *Turk*, yet nevertheless, there is an Answer given, by Letters from the *Kings Ambassadors Legier* in *Spain*; That there shall be some Course taken, to give reasonable Contentment in that Cause, as far as may be: In both which Ships (to speak truly) the greatest Mass of Iofs may be included: For the rest are mean, in respect of the value of those two Vessels. And thus much his Lordship Speech comprehended concerning the wrongs in Fact.

Concerning the Wrongs in Law; That is to say, the Rigour of the *Spanish Laws*, extended upon his *Majesties Subjects* that traffique thither, his Lordship gave this Answer. That they were no new Statutes, or Edicts, devised for our People, or our Times; But were the ancient Lawes of that Kingdom: *Suus cuique mos*. And therefore, as Travellours must endure the Extremities of the Climate, and Temper of the Air, where they travell: So Merchants, must bear with the Extremities of the Lawes, and Temper of the Estate, where they trade. Whereunto his Lordship added; that our own Lawes, here in *England*, were not exempted from the like Complaints in Forrain Parts; Especially in point of Marine Causes, and Depredations; And that same swift Alteration of Property, which is claimed by the Admiralty, in case of Goods taken in *Pirates* hands. But that, we were to understand thus much of the King of *Spains* Care, and Regard, of our Nation; That he had written his Letters, to all *Corrigidors*, Officers of Ports, and other his Ministers; Declaring his will and pleasure, to have his *Majesties Subjects*, used with all Freedome, and Favour: And with this Addition, that they should have more Favour when it might be shewed, than any other. Which words, howsoever the Effects prove, are not suddainly to be requited with peremptory Resolutions, till Time declare, the direct Issue.

For the third part of the Matter, of the Petition, which was the Remedy, sought by Letters of Mart; His Lordship seemed desirous to make us capable, of the Inconvenience, of that which was desired, by setting, before us two notable Exceptions thereunto: The one, that the Remedy, was utterly incompetent, and vain: The other that it was dangerous, and pernicious, to our Merchants; And, in consequence, to the whole State.

For the weakness of the Remedy; His Lordship wished us to enter into Consideration, what the Remedy was, which the Statute of *Henry the fifth*, (which, was now sought, to be put in Execution) gave in this Case, which was thus: That the Party grieved, should first complain to the Keeper of the private Seal; And from him, should take Letters unto the Party, that had committed the Spoyl for Restitution. And in default of Restitution, to be made upon such Letters served; Then to obtain of the

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Chancellor, *Letters of Mart*, or *Reprisall*: which Circuit of *Remedy*, promised nothing but endlesse, and fruitles Delay; In regard that the first Degree prescribed, was never likely to be effected: It being so wilde a Chace, as to serve Proccesse upon the wrong-Doer, in Forrain Parts. Wherefore his *Lordship* said, that it must be, the *Remedy of Statute*, that must do good, in this case: which useth to proceed by *Certificates*, *Attestations*, and other means of Information; Not depending upon a privy Seal to be served upon the Party, whom happily they must seek out, in the *West-Indies*.

For the *Danger* of the *Remedy*; His *Lordship* directed our Considerations, to take notice of the proportions, of the *Merchants* Goods, in either *Kingdome*: As that the Stock of Goods, of the *Spaniard*, which is within his *Majesties* Power and Distresse, is a Trifle: Whereas the Stock of *English* Goods in *Spain*, is a Masse, of mighty value. So as if this Courle of *Letters of Mart*, should be taken to satisfie a few hot Pursuitours here; All the Goods of the *English* Subjects in *Spain*, shall be exposed to Seisure, and Arrest; And we have little, or nothing in our Hands, on this side to mend our selves upon. And thus much (*Mr. Speaker*) is that, which I have collected, out of that excellent *Speech*: concerning the First main part which was; The Consideration of the *Petition*, as it proceeded from the *Merchant*.

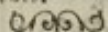
There followeth now the *Second Part*; Considering the *Petition*, as it was offered in this *House*. Wherein his *Lordship*, after an affectionate Commemoration, of the Gravity, Capacity, and Duty, which he generally found in the proceedings of this *House*; desired us nevertheless, to consider with him, how it was possible, that the entertaining of *Petitions*, concerning private *Injuries*, and of this *Nature* could avoid these three *Inconveniences*. The First, of *Injustice*; The Second, of Derogation, from his *Majesties* supreme, and absolute Power, of concluding *Warr*, or *Peace*, And the Third, of some prejudice, in reason of *Estate*.

For *Injustice*, it is plain, and cannot be denied, that we hear but the one Part: Whereas that *Rule*, *Audi alterum Partem*, is not of the Formality, but of the Essence, of *Justice*: Which is therefore figured, with both *Eyes shut*, and both *Eares open*. Because, she should hear both sides, respect Neither: So that if we should hap to give a right Judgement, it might be *Justum*, but not *Juste*, without hearing both *Parties*.

For the Point of *Derogation*; his *Lordship* said; He knew well, we were no lesse ready, to acknowledge, then Himself; That the *Crown of England* was ever invested (amongst other *Prerogatives*, not disputable) of an absolute Determination, and Power, of concluding, and making *Warr*, and *Peace*. Which, that it was no new Donation, but of an ancient Foundation in the *Crown*, he would recite unto us a number of *Presidents* in the *Raignes* of severall *Kings*; And chiefly of those *Kings*, which come nearest his *Majesties* own worthiness: Wherein he said, that he would not put his Credit, upon *Ciphers*, and *Dates*; Because it was easie to mistake the year of a *Raign*, or number of a *Rowle*, but he would avouch them in substance, to be perfect and true, as they are taken out of the *Records*. By which *Presidents* it will appear; that *Petitions* made in *Parliament* to *Kings* of this *Realm*, his *Majesties* Progenitours; Intermedling with matter of *Warr* or *Peace*, or inducement thereunto; Received small Allowance, or Success; But were allwaies put off, with *Dilatory Answers*: Sometimes, referring the matter, to their *Councell*; Sometimes to their

A Rep-1, in the House of Commons, of the Earle of Salisburies, and the Earle of Northamp-tons Speeches.

A Report, in
the House of
Commons, of
the Earle of
Salisburies
and the
Earle of
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their Letters, sometimes to their further Pleasure and Advice, and such of their Formes; Expressing plainly, that the Kings meant to reserve matter of that Nature, entirely to their own Power, and pleasure.

In the 18th. year of King Edward the First; Complaint was made, by the Commons, against the Subjects, of the Earle of Flanders, with Petition, of Redress: The Kings Answer was; *Rex nihil aliud potest, quam eodem modo petere*: That is, The King could do no more, but make Request to the Earle of Flanders, as Request had been made to him: And yet no Body will imagine, but King Edward the First was potent enough, to have had his Reason of a Count of Flanders, by a Warr: And yet, his Answer was; *Nihil aliud potest*; As giving them to understand, that the Entering into a Warr, was a matter Transcendant, that must not depend, upon such Controversies.

In the 4th. year of King Edward the Third; The Commons petitioned, that the King would enter into certain Covenants, and Capitulations, with the Duke of Brabant: In which Petition, there was also inserted, somewhat touching a Money matter. The Kings answer was, that for that, that concerned the Moneys, they might handle it, and examine it; but touching the Peace he would do, as to himself seemed good.

In the 18th. year, of King Edward the Third, the Commons petitioned, that they might have, the Triall, and proceeding, with certain Merchants Strangers, as Enemies to the State. The Kings answer was, *It should remain as it did, till the King had taken further order.*

In the 45th. yeare of King Edward the Third The Commons complained that their Trade with the Easterlings, was not upon equall Terms (which is one of the points insisted upon in the present Petition) and prayed an alteration, and reducement. The Kings answer was, *It shall be so as occasion shall require.*

In the 50th. year, of the same King, The Commons petitioned to the King for Remedy against the Subjects of Spain, as they now do. The Kings answer was, *that he would write his Letter for Remedy.* Here is Letters of Request, no Letters of Mart: *Nihil potest nisi eodem modo petere.*

In the same year, the Merchants of Yorke, Petitioned in Parliament, against the Hollanders, and desired their Ships might be stayed, both in England, and at Calais. The Kings answer was: *Let it be declared to the Kings Councill, and they shall have such Remedy, as is according to Reason.*

In the 2d. year of King Richard the second, the Merchants of the Seacoast, did complain of divers spoiles upon their Shippes, and Goods, by the Spaniards. The Kings answer was that with the advise of his Councill he would procure remedy.

His Lordship cited two other Presidents, the one in the second year, of King Henry the fourth, of a Petition against the Merchants of Genoa: the other, in the 11th. year of King Henry the 6th. of a Petition, against the Merchants of the Stilliard, which I omit because they contain no variety of answer.

His Lordship further cited two Presidents, concerning other points of Prerogative, which are likewise Flowers of the Crowne, the one touching the Kings Supremacy Ecclesiastical, the other touching the Order of Waights and Measures. The former of them, was in the time of King Richard the 2d. At what time, the Commons complained against certain Encroachments and Usurpations of the Pope, and the Kings answer was, *The King hath given*

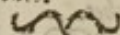
given Order to his Council to treat with the Bishops, thereof. The other was in the 18th. year of King Edward the First, at which time Complaint was made against uneven Weights, and the Kings answer was, *Vocentur partes ad placita Regis, & sit Justitia*: Whereby it appeared, that the Kings of this Realm, still used to refer Causes petitioned in Parliament, to the proper places of Cognizance and Decision. But for the matter of War, and Peace, as appears in all the former Presidents, the Kings ever kept it, in *Serinio pectus*, in the Shrines of their own Breast, assisted and advised by their Council of Estate.

His Lordship did conclude, his Enumeration of Presidents, with a notable President in the 17th. year of King Richard the Second. A Prince of no such glory, nor strength: And yet when he made offer, to the Commons in Parliament, that they should take into their considerations, matter of War and Peace, then in hand, The Commons in Modesty excused themselves, and answered: *The Commons will not presume to treat of so high a charge*. Out of all which Presidents, his Lordship made this Inference, that as *Dies Diem Docet*, so by these Examples, Wise Men will be admonished to forbear those Petitions to Princes, which are not likely to have either Welcome hearing or an effectual Answer.

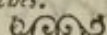
And for Prejudice, that might come, of handling, and debating, Matter of War and Peace in Parliament; He doubted not, but that the Wisdom of this House, did conceive, upon what secret Consideration, and Motives that point did depend. For that, there is no King, which will providently, and Maturely, enter into a War; But will first ballance his own Forces; Seek to anticipate, Confederacies and Alliances, Revoke his Merchants; Find an opportunity of the first Breach; And many other points: which if they once do but take wind, will prove vain, and frustrate. And therefore that this Matter, which is *Arcanum Imperij*, one of the highest Mysteries of Estate, must be suffered to be kept within the Vaile. His Lordship adding, that he knew not well whether in that, which he had already said, out of an extreme Desire to give us satisfaction, he had not communicated more particulars then perhaps was requisite. Nevertheless, he confessed that sometimes, Parliaments have been made acquainted with Matter of War and Peace in a generality; But it was upon one of these two Motives: When the King and Council conceived; That either it was Material, to have some Declaration of the zeal and Affection of the People: Or else when the King needed to demand Moneys and Aides, for the Charge of the Wars: Wherein, if Things did sort to War, we were sure enough, to hear of it. His Lordship hoping, that his Majesty, would find in us no lesse readiness to support it, than to perswade it.

Now, (Mr. Speaker,) for the last part; Wherein his Lordship, considered the Petition, as it was recommended from us; to the upper House, His Lordship delivered thus much from their Lordships; That they would make a good Construction of our Desires, as those, which they conceived, did rather spring, out of a Feeling, of the Kings Strength, And out of a feeling of the Subjects wrongs, Nay more, out of a Wisdom, and Depth, to declare our forwardness if need were to assist his Majesties future Resolutions, (which Declaration, might be of good use for his Majesties Service, when it should be blown abroad) Rather I say then that we did in any sort determine by this their Overture, to do that wrong to his Highness Supreme power, which happily, might be inferred by thole, that were rather apt to make evill, then good Illations of our proceeding. And yet

A Report, in
the House of
Commons, of
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Salisburys,
and the
Earl of
Northampton
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A Report, in
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the Earle of
Salisburie
and the
Earl of
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yet, that their *Lordships* for the reasons beforemade, most plainly tell us; That they neither could nor would concur with us, nor approve the course. And therefore concluded; That it would not be amiss for us, for our better Contentment, to behold the Conditions, of the last Peace with Spain, which were of a strange nature to him that duely observes them; No Forces recalled out of the *Low Countries*, No new Forces (as *Voluntaries*) restrained to go thither: So as the King may be in peace, and never a Subject in England, but may be in War: And then, to think thus with our selves; That that King, which would give no ground, in making his Peace will not loose any Ground, upon just provocation to enter into an Honourable War. And that in the mean time, we should know thus much, that there could be more forcible Negotiation; on the Kings part, but Blowes, to procure Remedy of those wrongs, nor more fair promise, on the King of Spains part, to give contentment, concerning the same: And therefore, that the Event, must be expected.

And thus (Mr. Speaker) have I passed over the Speech, of this worthy Lord, whose Speeches (as I have often said) in regard of his place, and Judgement, are extraordinary Lights, to this House; And have both the properties of Light, that is Conducting, and Comforting. And although (Mr. Speaker) a Man would have thought nothing had been left, to be said; Yet I shall now, give you account, of another Speech, full of excellent Matter, and Ornaments; And without Iteration. Which, nevertheless, I shall report more compendiously; Because I will not offer the Speech that wrong, as to report it at large, when your minds percase, and Attentions, are already wearied.

The other Earl, who usually, doth bear a principal part, upon all important occasions, used a Speech, first of Preface, then of Argument. In his Preface, he did deliver, that he was perswaded, that both Houses did differ rather in Credulity, and Belief, than in Intention, and Desire. For it might be their Lordships did not believe the Information so far, but yet desired, the Reformation as much.

His Lordship said further, that the Merchant was a State, and Degree of persons; Not only to be respected, but to be prayed for, and graced them with the best Additions: That they were the Convoyes, of our supplies; The Vents of our Abundance; Neptunes Almshouses, and Fortunes Adventurers. His Lordship proceeded, and said; This Question, was new to us, but antient to them: Assuring us that the King, did not beare in vain, the Devise of the Thistle, with the word; *Nemo me lascescit impune*; And that, as the Multiplying of his Kingdomes, maketh him feel his own Power; So the Multiplying of our Loves, and affections, made him to feel our Grievs.

For the Arguments or Reasons, they were Five in number, which his Lordship used, for satisfying us, why their Lordships might not concur with us in this Petition. The first was; the Composition of our House; which he tooke in the first foundation thereof, to bee meerly Democraticall; Consisting, of Knights of Shires, and Burgesses of Townes, and intended to be of those, that have their Residence, Vocation, and Employment, in the places for which they serve: And therefore to have a private and local wisdom, according to that Compass, and so not fit to examine, or determine, Secrets of Estate, which depend, upon such Variety of Circumstances, and therefore, added to the President, formerly vouched, of the 17th. of King Richard the 2d. When the Commons disclaimed to intermeddle

intermeddle, in matter of War and Peace; That their answer was, that they would not presume to treat of so high, and variable a Matter. And although, his Lordship acknowledge that there be divers Gentlemen in the Mixture of our House; That are of good Capacity and Insight, in Matters of Estate, yet that was the Accident of the Person, and not the Intention of the Place; and things were to be taken, in the Institution, not in the Practice.

His Lordships second Reason was; That both by Philosophy, and Civil Law, *Ordinatio Belli & Pacis est absoluti imperij*; A principal Flower of the Crown. Which Flowers ought to be so dear unto us, as we ought, if need were, to water them with our Blood. For if those Flowers should by neglect or upon facility, and good affection, whither and fall, the Garland would not be worth the wearing.

His Lordships third Reason was, that Kings did so love to imitate *Primum Mobile*, as that they do not like to move in borrowed Motions: So that, in those things, that they do most willingly intend, yet they indure not to be prevented by Request. Whereof he did alledge a notable Example, in King Edward the 3d. who would not hearken to the Petition of his Commons, that besought him, to make the Black Prince Prince of Wales. But yet after that Repulse of their Petition, out of his own meer Motion, he created him.

His Lordships fourth Reason was; That it might be some scandal to step between the King, and his own Vertue: And that it was the Duty of Subjects rather to take honours from Kings Servants, and give them to Kings; then to take honours from Kings and give them to their Servants: Which he did very elegantly set forth in the Example of Joab, who lying at the Siege of Rabbah, and finding it could not hold out, writ to David to come and take the Honour, of taking the Town.

His Lordships last Reason was, that it cast some aspersion upon his Majesty; Implying, as if the King slept out the Sobs of his Subjects until he was awaked with the Thunderbolt of a Parliament.

But his Lordships Conclusion was very Noble, which was with a Protestation; That what Civil Threats, Contestation, Art, and Argument, can do, hath been used, already, to procure Remedy in this Cause: And a Promise, That if Reason of State, did permit as their Lordships were ready to spend their Breath, in the pleading of that we desire, so they would be ready to spend their Bloods in the Execution thereof.

This was the Resolution of that which passed.

A Speech used to the King, by his Majesties Solliciter being chosen, by the Commons, as their Mouth and Messenger, for the presenting to his Majesty, the Instrument, or writing of their Grievances; In the Parliament 7°. Jacobi.

MOST gracious Sovereign: The Knights, Citizens, and Burgeses, assembled in Parliament, in the House of your Commons, in all humbleness do exhibite and present, unto your Sacred Majesty, in their own words, though by my hand their Petitions and Grievances. They are here conceived, and set down in writing; According to Ancient Custome of Parliament. They are also prefaced, according to the Manner and Taft, of these later Times.

A Speech to the King concerning the Grievances of the House.

A Speech about Wards, and Liveries.

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Therefore, for me to make any Additional Preface, were neither warranted, nor convenient: especially speaking before a King; The exactness of whose Judgement, ought to scatter, and chase away all unnecessary Speech, as the Sun doth a Vapour. This only I must say: Since this Session of Parliament, we have seen your Glory in the Solemnity of the Creation, of this most Noble Prince: We have heard your Wisdom, in sundry excellent Speeches, which you have delivered amongst us. Now we hope to find and feel, the Effects of your Goodness, in your Gracious Answer, to these our Petitions. For this we are perswaded, that the Attribute, which was given by one of the wisest Writers, to two of the best Emperours; *Divus Nervæ & Divus Trajanus*; (So saith Tacitus) *Res olim infociabiles miscuerunt, Imperium, & Libertatem*; May be truly applyed, to your Majesty. For never was there such a Conservatour of Regality, in a Crown; Nor never, such a Protectour of lawfull freedome, in a Subject.

Onely this, (*Excellent Sovereign*;) Let not the sound of Grievances (though it be sad,) seem harsh to your Princely ears; It is but *Gemitus Columbe*; the Mourning of a Dove; with that patience and humility of heart, which appertaineth to loving and Loyal Subjects. And far be it from us; But that, in the midst of the Sense of our Grievances, we should remember, and acknowledge the infinite Benefits, which by your Majesty, next under God we do enjoy; which bind us to wish unto your life Fulness of Dayes; And unto your Line Royal, a Succession, and Continuance, even unto the worlds end.

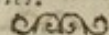
It resteth, that unto these Petitions here included, I do add one more, that goeth to them all: Which is; That if in the words, and frame of them, there be any thing offensive; Or that we have expressed our selves otherwise than we should or would; That your Majesty would cover it, and cast the Vaile of your Grace upon it; And accept of our good intentions; And help them, by your benign Interpretation.

Lastly I am most humbly to crave a particular pardon, for my self, that have used these few words; And scarcely, should have been able to have used any at all, in respect of the Reverence which I bear to your Person and Judgement had I not been somewhat relieved, and comforted by the experience, which in my Service, and Access I have had of your continual Grace and Favour.

A Speech of the Kings Solicitor, used unto the Lords, at a Conference, by Commission, from the Commons Moving and perswading the Lords to joyn with the Commons in Petition to the King; To obtain Liberty to treat of a Composition with his Majesty, for Wards, and Tenures in the Parliament, 7^o. Jacobi.

The Knights, Citizens, and Burgeses, of the House of Commons, have commanded me, to deliver to your Lordships, the Causes of the Conference, by them prayed, and by your Lordships assented, for the second Business, of this Day. They have had Report, made unto them, faithfully, of his Majesties Answer declared by My L. Treasurer, touching their humble desire to obtain Liberty, from his Majesty, to treat of compounding for Tenures. And first, they think

A Speech about Wards, and Liveries.



think themselves much bound unto his Majesty, that in *Renova*, in which case *Princes* use to be apprehensive, he hath made a gracious construction, of their proposition- And so much they know of that, that belongs to the Greatness of his Majesty, and the Greatness of the Cause; As themselves acknowledge, they ought not to have expected a present Resolution, though the *Wise-Man* saith; *Hope deferred is the Fainting of the Soul*. But they know their Duty to be, to attend his Majesties Times, at his good pleasure. And they do it with the more comfort, because that in his Majesties answer (Matching the Times, and weighing the passages thereof,) they conceive in their Opinion, rather Hope than discouragement.

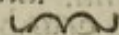
But the principal Causes of the Conference now prayed; (Besides these significations of Duty, not to be omitted) are two Propositions. The one Matter of *Excuse*, of themselves: The other Matter of *Petition*. The former of which grows thus. Your Lordship (my *L. Treasurer*) in your last Declaration of his Majesties Answer, (which according to the Attribute then given unto it, had *Imaginem Caesaris*, fair and lively graven,) made this true and effectual Distribution, that there depended upon *Tenures*, Considerations of *Honour*, of *Conscience*, and of *Utility*: Of these three, *Utility*, as his Majesty set it by for the present, out of the Greatness of his Mind, so we set it by, out of the Justness of our Desires: For we never meant but a goodly and worthy Augmentation of the Profit now received, and not a Diminution, (But to speak truly) that Consideration falleth naturally to be examined, when *Liberty of Treaty* is granted: But the former two indeed, may exclude *Treaty*, and cut it off, before it be admitted.

Nevertheless, in this that we shall say concerning those Two, we desire to be conceived rightly: We mean not to dispute with his Majesty, what belongeth to *Sovereignty*, *Honour*, or his *Princely Conscience*; Because we know, we are not capable to discern them otherwise than as Men use sometimes to see the Image, of the *Sun* in a Pail of Water. But this we say for our selves, *God* forbid, that that we knowingly, should have propounded any thing that might in our sense, and perswasion touch either of both: and therefore herein we desire to be heard, not to inform, or perswade his Majesty, but to free and excuse our selves.

And first, in general, we acknowledge that this Tree of *Tenures*, was planted into the *Prerogatives* by the ancient common Law of this Land: That it hath been Fenced in, and preserved, by many Statutes; And that it yieldeth, at this day to the King the Fruit of a great Revenue. But yet notwithstanding, if upon the Stem of this Tree, may be raised a Pillar of support to the Crown Permanent, and durable as the Marble, by investing the Crown with a more ample, more certain, and more loving Dowry than this of *Tenures*, we hope we propound no Matter of Disservice.

But to speak, distinctly, of both, and first of *Honour*. Wherein, I pray your Lordships, give me leave in a Subject that may seem, *supra Nos* to handle it rather as we are capable, then as the Matter perhaps may require. Your Lordships well know, the various Mixture, and Composition of our House. We have in our House learned *Civilians*, that profess a Law, that we reverence and sometimes consult with: They can tell us, that all the *Lans de Feodis*, are but *Additional*s to the *Ancient Civil Law*, and that the *Roman Emperours*, in the full height of their Monarchy never knew them, So that they are not *Imperial*, We have grave professors of the *Common Law*, who will define unto us that those are parts of *Sovereignty*, and of the *Royal Prerogative* which cannot be communicated with Subjects: But for *Tenures* in substance, there is none of your Lordships, but have them, and few of us but have them. The

A Speech about Wards, and Liveries.



King indeed, hath a priority, or first Service, of his *Tenures*, which shewes, that they are not *Regall*, nor any point of *Soveraignty*. We have Gentlemen, of honourable Service, in the *Wars*, both by Sea, and Land: Who can inform us, that when it is in question, who shall set his foot foremost towards the Enemy, it is never asked, whether he hold in *Knights Service*, or in *Socage*. So have we many *Deputy Lieutenants*, to your *Lordships*, and many *Commissioners* that have been for *Musters*, and *Livies* that can tell us, that the Service and Defence of the *Realm*, hath in these dayes little dependance upon *Tenures*. So then we perceive, that it is no Bond or Ligament, of *Government*; No Spur of Honour, no Bridle of Obedience: Time was, when it had other uses, and the Name of *Knights Service* imports it: But *Vocubula manent, Res fugiunt*. But all this which we have spoken, we confesse to be but in a vulgar Capacity, which nevertheless, may serve for our excuse, though we submit the Thing it self, wholly to his *Majesties* Judgement.

For Matter of *Conscience*, Far be it from us, to cast in any Thing, willingly, that may trouble that clear Fountain of his *Majesties* conscience. We do confesse, it is a noble Protection, that these young *Birds* of the *Nobility*, and good *Families*, should be gathered and clocked under the wings of the *Crown*. But yet, *Nature vis maxima: And suis cuique discretus sanguis*. Your *Lordships* will favour me: to observe my former Method. The *Common Law* it self, which is the best bounds of our wisdom doth even, in *hoc Individuo*, prefer the prerogative of the *Father*, before the prerogative of the *King*: For if *Lands* descend held in chief, from an *Ancestour*, on the part of a Mother, to a Mans eldest Son, the *Father* being alive, The *Father*, shall have the Custody of the Body and not the *King*. It is true, that this is only for the *Father*, and not any other *Parent*, or *Ancestour*: But then if you look, to the high *Law* of *Tutelage*, and Protection, and of Obedience and Duty, which is the *Relative* thereunto: It is not said, Honour thy *Father* alone, But, Honour thy *Father*, and thy *Mother*, &c. Again, the *Civilians* can tell us, that there was a special Use of the *Pretorian Power*, for *Pupils*, and yet no *Tenures*. The *Citizens* of *London*, can tell us: There be *Courts* of *Orphants*, and yet no *Tenures*. But all this while, we may pray your *Lordships*, to conceive; That we think our selves, not comperent, to discern of the Honour, of his *Majesties* *Crown*, or the *Shrine* of his *Conscience*; But leave it wholly unto him and alledge these things, but in our own *Excuse*.

For matter of *Petition*, we do continue our most humble suit by your *Lordships* loving Conjunction, that his *Majesty* will be pleased, to open unto us, this entrance of his Bounty, and Grace; as to give us liberty, to treat. And lastly, we know his *Majesties* Times, are not subordinate at all, but to the *Globe* above: About this time, the *Sun* hath got even with the *Night*, and will rise apace, And we know, *Solomons Temple* (whereof your *Lordship*, my *Lord Treasurer*, (spake) was not built in a day: And if we shall be so happy, as to take the *Axe* to hew, and the *Hammer* to frame, in this Case: We know, it cannot be, without Time: And therefore, as far, as we may, with Duty, and without Importunity, we most humbly desire, an Acceleration of his *Majesties* Answer, according to his good time, and Royal Pleasure.

A Speech of the Kings Solicitor, perswading the House of Commons to desist from further Question, of receiving the Kings Messages, by their Speaker; and from the Body of the Council, as well as from the Kings Person; In the Parliament 7^o. Jac.

A Speech about receiving the Kings Messages.

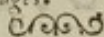
IT is my desire, that if any the Kings business, either of honour or profit, shall pass the House, it may be, not only with external prevailing, but with satisfaction of the Inward Man. For in consent, where tongue-strings, not heart-strings, make the Musick; that Harmony may end in discord. To this I shall always bend my endeavours.

The Kings Sovereignty, and the Liberty of Parliament, are as the two Elements, and Principles of this Estate; which, though the one be more active, the other more passive, yet they do not cross, or destroy, the one the other; but they strengthen, and maintain, the one the other. Take away Liberty of Parliament, the griefs of the Subject will bleed inwards. Sharp and eager Humours will not evaporate; and then they must exulcerate, and so may endanger the Sovereignty it self. On the other side, if the Kings Sovereignty receive diminution, or any degree of contempt with us that are born under an Hereditary Monarchy; (so as the motions of our Estate cannot work in any other Frame, or Engine;) it must follow, that we shall be a Meteo^re, or Corpus imperfecte mixtum; which kind of Bodies come speedily to confusion and dissolution. And herein it is our happiness, that we may make the same judgment of the King, which Tacitus made of Nerva; *Dixit Nerva, res olim Dissociabiles miscuit, Imperium, & Libertatem*. Nerva dixit temper things, that before were thought incompatible, Sovereignty, and Liberty. And it is not amiss, in a great Council, and a great Cause, to put the other part of the difference, which was significantly expressed, by the judgment which Apollonius made of Nero; which was thus. When Vespasian came out of Judea, towards Italy, to receive the Empire; as he passed by Alexandria, he spake with Apollonius, a man much admired; and asked him a Question of State. What was Nero's fall, or overthrow? Apollonius said, Nero could tune the Harp well, but in Government he always either wound up the Pins too high, and strained the strings too far; or let them down too low, and slackened the strings too much. Here we see the difference between regular and able Princes, and irregular and incapable. Nerva, and Nero. The one tempers and mingles the Sovereignty with the Liberty of the Subject, wisely; and the other doth interchange it, and vary it unequally, and absurdly. Since therefore we have a Prince of so excellent Wisdom and Moderation, of whose Authority we ought to be tender, as he is likewise of our Liberty; let us enter into a true and indifferent consideration, how far forth the Case in Question may touch his Authority, and how far forth our Liberty. And to speak clearly, in my Opinion it concerns his Authority much, and our Liberty nothing at all.

The Questions are two. The one, Whether our Speaker be exempted from delivery of a Message from the King, without our Licence. The other, Whether it is not all one, whether he received it from the Body of the Council, as if he received it immediately from the King. And I will speak of the last first, because it is the circumstance of the present Case.

First,

A Speech about receiving the Kings Messages.



First, I say, let us see how it concerns the King, and then how it concerns Us? For the King, certainly, if it be observed, it cannot be denied, but if you may not receive his pleasure by his *Representative Body*, which is his *Counsel* of his *Estate*; you both streighten his *Majesty*, in point of conveniency; and weaken the Reputation of his *Counsel*. All Kings, though they be *Gods* on Earth, yet (as he said) they are *Gods* of Earth: They may be of extreme Age; they may be indisposed in health; they may be absent. In these cases, if their *Councils* may not supply their persons, to what infinite accidents do you expose them? Nay more, sometimes in policy Kings will not be seen, but cover themselves with their *Council*; and if this be taken from them, a great part of their safety is taken away. For the other point, of *weakening* the *Council*; you know they are nothing without the King. They are no *Body Politique*: They have no *Commission* under *Seal*. So as, if you begin to distinguish, and disjoyn them from the King, they are *Corpus Opacum*; For they have *Lumen de Lumine*; And so, by distinguishing, you extinguish the principle Engine of the *Estate*. For it is truly affirmed, that *Consilium non habet potestatem delegatam, sed inherentem*: And it is but *Rex in Cathedra*, the King in his *Chair*, or *Consistory*, where his Will and Decrees, which are in privacy more changeable, are settled and fixed.

Now for that which concerns our *selves*. First for Dignity, no man must think this a disparagement for us. For the greatest Kings in *Europe*, by their *Embassadors*, receive Answers and Directions from the *Council* in the Kings absences. And if that *Negotiation* be fit, for the *Fraternity* and *Party* of Kings; it may much less be excepted to by *Subjects*.

For use or benefit, no man can be so raw, and unacquainted in the *affairs* of the *World*, as to conceive there should be any disadvantage in it; as if such Answers were less firm and certain. For it cannot be supposed, that men of so great Caution, as *Councillours* of *Estate* commonly are; (whether you take Caution for Wisdom, or Providence; or for *Pledges* of *Estate*, or *Fortune*;) will ever erre, or adventure so far, as to exceed their Warrant. And therefore I conclude, that in this point there can be unto us, neither disgrace, nor disadvantage.

For the point of the *Speaker*. First, on the Kings part, it may have a shrewd Illation: For it hath a shew, as if there could be a stronger Duty, then the Duty of a *Subject* to a King. We see the degrees and differences of duties in Families, between *Father*, and *Son*; *Master*, and *Servant*; in Corporate Bodies, between *Communalities*, and their *Officers*; *Recorders*, *Stewards*, and the like; yet all these give place to the Kings Commandments. The Bonds are more special, but not so forcible. On our part, it concerns us nothing. For first it is but *de Canali*, of the Pipe; How the Kings Message shall be conveyed to us, and not of the matter. Neither hath the *Speaker* any such Dominion, as that coming out of his mouth, it presseth us more then out of a *Privy Councillours*. Nay, it seems to be a great Trust of the Kings towards the *House*; when the King doubteth not to put his Message into their Mouth; as if he should speak to the *City* by the *Recorder*: Therefore, methinks, we should not entertain this unnecessary doubt. It is one use of wit, to make clear things doubtful; but it is a much better use of wit, to make doubtful things clear. And to that, I would, men would bend themselves.

*A brief Speech, in the End of the Session of Parliament, 7^o. Jac.
Perswading some Supply, to be given to his Majesty; which
seemed then to stand upon doubtful terms; And passed upon this
Speech.*

*A Speech a-
bout recei-
ving the
Kings Mes-
sages.*

THe proportion of the *Kings Supply*, is not now in question: For when that shall be, it may be I shall be of Opinion, that we should give so now, as we may the better give again. But as things stand for the present, I think the point of Honour and Reputation, is that, which his Majesty standeth most upon; That our Gift, may at least be like those showers that may serve, to lay the Winds; Though they do not sufficiently, Water the Earth.

To labour, to perswade you, I will not; For I know not into what Form, to cast my Speech. If I should enter into a Laudative (though never so due and just) of the *Kings* great Merits, it may be taken for Flattery: If I should speak, of the strait Obligations, which intercede, betweene the King and the Subject, in case of the Kings want, it were a kind of concluding the House, If I should speak, of the dangerous Consequence, which Want may reverberate upon Subjects, it might have a shew, of a secret Menace.

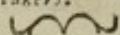
These Arguments are (I hope) needless; And do better in your Minds, then in my Mouth. But this, give me leave to say; That whereas the Example, of *Cyrus* was used, who sought his Supply, from those upon whom he had bestowed his Benefits, we must always remember; That there are, as well Benefits of the Scepter, as Benefits of the Hand; As well of Government, as of Liberality. These I am sure we will acknowledge to have come, *plena manu*, amongst us all; And all those whom we represent, and therefore, it is every Mans Head, in this Case; that must be his Counsellour, and every Mans Heart his Orator, and those inward powers are more forcible, then any Mans Speech, I leave it, and wish it may go to the Question.

A Speech delivered by the Kings Attorney, Sir Francis Bacon, in the Lower House; When the House was in great heat, and much troubled about the undertakers; which were thought to be, some able and forward Gentlemen; Who to ingratiate themselves with the King, were said to have undertaken, that the Kings Business, should pass in that House, as his Majesty could wish. In the Parliament, 12^o. Jac.

(Mr. Speaker,)

I Have been hitherto silent, in this Matter of undertaking; wherein, as I perceive, the House, is much enwrapped. First, because, (to be plain with,) I did not well understand, what it meant

A speech
when the
House was
troubled a-
bout undeer-
takers.



meant, or what it was: And I do not love to offer at that, that I do not thoroughly conceive. That private Men, should undertake, for the *Commons of England*, Why? A Man might as well undertake for the four *Elements*: It is a thing, so giddy, and so vault, as cannot enter into the Brain of a sober Man. And specially, in a new *Parliament*; When it was impossible to know, who should be of the *Parliament*; And when all Men that know never so little, the Constitution of this *House*, do know it to be so open to Reason; As Men do not know, when they enter into these Doors, what mind themselves will be of, until they hear Things argued and debated. Much less, can any Man make a policy of Assurance; what Ship shall come safe home into the Harbour in these Seas. I had heard of *undertakings* in several kinds: There were *undertakers* for the Plantations of *Derry* and *Coleraine* in *Ireland*, the better to command and bridle those Parts: There were not long ago some *undertakers* for the *North-West Passage*, And now there are some *undertakers* for the Project of *Died and Dressed Cloaths*; And in short, every Moveley useth to be strengthened, and made good, by a kind of *undertaking*. But for the Ancient *Parliament of England*, which moves in a certain Manner and Sphear; To be *undertaken*, it passes my reach to conceive, what it should be. Must we be all *Died and Dressed*, and no pure *Whites* amongst us? Or must there be a new passage found, for the *Kings Business*, by a point of the *Compass*, that was never sailed by before? Or must there be some *Forts* built in this *House*, that may command and contain the rest? (Mr. Speaker) I know, but two *Forts* in this *House*, which the King ever hath; The *Fort of Affection*, and the *Fort of Reason*; The one, Commands the *Hearts*, and the other Commands the *Heads*, and others, I know none. I think *A sop* was a wise Man that described the nature of the *Fly*, that sat upon the spoke of the *Chariot Wheel*, and said to her self; *What a Dust do I raise*? So for my part, I think, that all this *Dust* is raised, by light Rumours and Buzzes, and not upon any solid Ground.

The second Reason, that made me silent, was because this Suspicion, and Rumor, of undertaking, settles upon no Person certain. It is like the *Birds of Paradise*, that they have in the *Indies*, that have no Feet, and therefore, they never light upon any place, but the wind carries them away: And such a thing do I take this Rumour to be.

And lastly, when that the King had, in his two several speeches, freed us from the main of our Fears, in affirming, directly, that there was no undertaking to him; And that, he would have taken it to be no less derogation to his own Majesty, than to our Merits; To have the Acts of his people transferred to particular persons; that did quiet me thus far, That these Vapours were not gone up to the Head, howsoever they might glow and estuate in the Body.

Nevertheless, since I perceive that this Cloud, still hangs over the *House*; And that it may do no hurt, as well in Fame abroad, as in the Kings Ear, I resolved with my self to do the part of an honest voice in this *House*, to counsel you, what I think to be for the best.

Wherein first, I will speak plainly of the pernicious Effects of the Accident of this Brute and Opinion, of *undertaking*, towards particulars, towards the *House*, towards the King, and towards the People.

Secondly, I will tell you, in mine Opinion, what *undertaking* is tolerable, And how far it may be justified, with a good mind; and on the other side, this same Ripping up of the Question of *undertakers*, How far it may proceed from a good Mind, and in what kind it may be thought malicious and dangerous.

Third.

Thirdly, I will shew you my poore advice, what Means there are to put an end to this Question of *Undertaking*; Not falling for the present upon a precise Opinion; But breaking it, how many wayes there be by which you may get out of it; And leaving the choice of them to a Debate at the Committee.

And Lastly, I will advise you how things are to be handled at the Committee, to avoid distraction and loss of Time.

For the First of these, I can say to you but as the Scripture saith, *Si invicem mordetis, ab invicem consumini*. If ye Fret and Gall one anothers Reputation; The end will be, that every Man shall go hente, like *Coy* cried down; Of less price than he came hither. If some shall be thought to fawn upon the Kings Business openly; And others to cross it secretly; Some shall be thought *Practicers*, that would pluck the Cards; And others shall be thought *Papists*, that would shuffle the Cardes, what a Misery it this, that we should come together to fool one another, instead of procuring the publick good?

And this ends not in particulars, but will make the whole House contemptible: For now I hear Men say, that this Question of *undertaking*, is the predominant Matter of this House. So that we are now according to the Parable of *Jotham*, in the Case of the Trees of the Forrest; That when Question was, whether the *Vine* should *raign* over them? That might not be: And whether the *Olive* should *raign* over them? that might not be; But we have excepted the *Bramble* to *raign* over us. For it seemes that the good *Vine* of the Kings Graces, that is not so much in esteem: And the good Oyle, whereby we should salve and relieve the wants of the Estate and Crown, that is laid aside too: And this *Bramble* of Contention and Emulation; This *Abimelech*, which (as was truly said, by an understanding Gentleman) is a *bastard* (For every Fame that wants a Head is *Filius populi*) This must *raign* and *rule* amongst us.

Then for the King nothing can be more opposite, *Ex diametro*, to his Ends and Hopes than this. For you have heard him profess like a King, and like a gracious King, that he doth not so much respect his present supply as this demonstration, that the Peoples Hearts are more knit to him to him than before. Now then, if the issue shall be this, that whatsoever shall be done for him, shall be thought to be done but by a number of Persons, that shall be laboured and packt; This will rather be a sign of Diffidence and Alienation, than a natural Benevolence and Affection, in his People at home; And rather Matter of Disreputation, than of Honour abroad. So that to speak plainly to you; The King were better call for a new Pair of Cards, then play upon these if they be packt.

And then for the People, it is my manner ever, to look as well beyond a Parliament, as upon a Parliament; And if they abroad shall think themselves betrayed by those that are their Deputies, and Attornies here, it is true, we may bind them, and conclude them, But it will be with such murmur and Insatisfaction, as I would be loath to see.

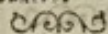
These things might be dissembled; And so things left to bleed inwards: But that is not the way, to cure them. And therefore I have searched the Sore, in hope that you will endeavour the Medicine.

But this to do more throughly, I must proceed to my second Part, to tell you cleerely, and distinctly, what is to be set on the Right hand, and what on the left, in this business.

A Speech
when the
House was
troubled a-
bout under-
takers.

CRS

A Speech
when the
House was
troubled a-
bout uncer-
tainers.



First, if any Man hath don good Offices, to advise the *King* to call a *Parliament*, and to increase the good affection and Confidence of his *Majesty*, towards his *People*, I say that such a person doth rather *Merit* well, than commit any Errour, nay further, if any man hath out of his own good mind, given an opinion, touching the minds of the *Parliament* in general; How it is probable, they are like to be found, and that they will have a due feeling of the *Kings* wants, and will not deale drily or illiberally with him, this man that doth but think of other mens minds, as he finds his own, is not to be blamed. Nay further, if any Man hath coupled this with good wishes and Propositions; That the *King* do comfort the Hearts of his *People*, and testifie his own love to them, by filing off the harshness of his *Prerogative*; Retaining the substance and strength; And to that purpose, like the good householder in the *Scripture*, That brought forth old store and new, hath revolved the Petitions and Propositions of the last *Parliament*, and added new; I say this Man hath sown good seed; And he that shall draw him into Envy for it, sows *Tares*. Thus much of the *Right hand*. But on the other side, if any shall mediate, or immediately infuse into his *Majesty*, or to others, that the *Parliament* is as *Cato* said of the *Romans*, like *Sheep*; That a Man were better drive a Flock of them than one of them; And however, they may be wise Men severally, yet in this Assembly, they are guided by some few, which if they be made and assured, the rest will easily follow: This is a plain Robbery of the *King* of Honour, and his *Subjects* of Thanks, and it is to make the *Parliament* vile and servile in the eyes of their *Sovereign*; and I count it no better than a supplanting of the *King* and *Kingdome*. Again, if a Man shall make this Impression, that it shall be enough for the *King* to send us some things of shew, that may serve for colours, and let some *Eloquent Tales* be told of them, and that will serve *Ad faciendum populum*, any such person will find, that this *House* can well skill of False Lights, and that it is no wooing Tokens but the true Love, already planted, in the Breast of the *Subjects* that will make them do for the *King*. And this my Opinion, touching those that may have perswaded a *Parliament*. Take it on the other side (for I mean in all things to deal plainly) if any Man hath been diffident touching the Call of a *Parliament*, thinking that the best means were first for the *King* to make his utmost tryal to subsist of himself, and his own means, I say an Honest and faithful Heart might consent to that opinion, and the event it seems doth not greatly discredit it hitherto. Again if any Man shall have been of opinion, that it is not a particular Party that can bind the *House*; Nor, that it is not Shewes or Colours can please the *House*, I say, that Man though his speech tend to discouragement, yet it is coupled with providence. But by your leave if any Man since the *Parliament* was called, or when it was in speech, shall have laid Plots to crosse the good will of the *Parliament* to the *King*; By possessing them, that a few shall have the thanks; And that they are (as it were) bought and sold, and betrayed; And that, that which the *King* offers them, are but Baits, prepared by particular persons; Or have raised rumors, that it is a packt *Parliament*; To the end, nothing may be done, but that the *Parliament* may be dissolved (as Gamesters use to call for new Cards, when they mistrust a Pack;) I say, These are Engines, and Devices, Naught, maligne and Seditious.

Now for the *Remedy*; I shall rather break the matter, (as I said in the Beginning, then advise positively. I know but three wayes. Some *Message* of Declaration to the *King*. Some *Entry*, or *protestation*, amongst our selves

Or some, *strict and punctual Examination*. As for the last of these, I assure you I am not against it, if I could tell where to begin or where to end. For certainly, I have often seen it, that things when they are smothered, trouble more than when they break out. Smoke blinds the Eyes, but when it blazeth forth into Flame, it gives light to the Eyes. But then if you fall to *Examination*, some *Person* must be charged; some *Matter* must be charged: And the *Manner* of that *Matter* must be likewise charged; For it may be in a Good Fashion, and it may be in a Bad; In as much difference as betweene Black and White: And then, how far Men will *ingenuously confesse*, how far they will *politickly deny*; And what we can *Make*, and *gather* upon their Confession; And how we shall prove against their *Denial*, It is an endless peece of Work; And I doubt that we shall grow weary of it.

For a *Message* to the King; It is the Course, I like best; so it be carefully, and considerately, handled: For if we shall represent to the King, the Nature of this *Body* as it is; Without the *wayles* or *shadows*, that have been cast upon it; I think we shall do him Honour, and our selves Right.

For any thing that is to be done *amongst our selves*, I do not see much gained by it; Because it goes no further than *our selves*: Yet if any thing can be wisely conceived to that end, I shall not be against it; But I think, the purpose of it is fittest to be, Rather that the House conceives that all this is but a Misunderstanding; Than to take knowledge that there is indeed a Just ground, and then to seek by a *Protestation* to give it a *Remedy*. For *Protestations*, and *Professions*, and *Apologies*, I never found them very Fortunate; But they rather encrease suspicion than clear it.

Why then the Last part is, that these things be handled at the *Committee* seriously and temperately: Wherein I wish that these four Degrees of *Questions* were handled in order.

First, whether we shall do any thing at all in it; Or passe by it and let it sleep.

Secondly, whether we shall enter into a particular *Examination* of it?

Thirdly, whether we shall content our selves with some *Entry* or *Protestation* amongst our selves?

And Fourthly, whether we shall proceed to a *Message* to the King; And what?

Thus I have told you mine Opinion. I know it had been more safe and politick to have been silent, but it is perhaps, more honest and loving to speak. The old verse is: *Nam nulli tacuisse nocet, nocet esse locutum*. But by your leave, *David* saith; *Silui a bonis, & dolor meus renovatus est*. When a man speaketh, he may be wounded by Others, but if he hold his peace from Good things, he wounds himself. So I have done my part, and leave it to you to do that which you shall judge to be the best.

A Speech
when the
House was
troubled a-
bout under-
takers.

CRS

A Charge
in the Star-
Chamber
against
William
Talbot.
C.C.C.

The Charge of Sir Francis Bacon Knight, his Majesties Attorney Generall, against William Talbot, a Counsellor at Law, of Ireland, upon an Information in the Star-Chamber Oretenus; For a writing under his Hand, whereby the said William Talbot being demanded, whether the Doctrine of Suarez, touching Deposing and Killing of Kings Excommunicated were true or no? He answered, that he referred himself unto that which the Catholick Roman Church should determine thereof. Ultimo die Terminii Hilarij, undecimo Jacobi Regis.

My Lords,

I Brought before you the first sitting of this Term the Cause of Duels: But now this last sitting, I shall bring before you a Cause concerning the greatest Duell, which is in the Christian World, the Duels, and Conflicts, between the lawful authority, of Sovereign Kings, which is Gods Ordinance for the comfort of Humane Society, and the swelling pride, and usurpation, of the See of Rome in Temporalibus, tending altogether to Anarchy and confusion. Wherein if this pretence by the Pope of Rome by Cartels, to make Sovereign Princes as the Banditti, and to proscribe their Lives, and to expose their Kingdomes to prey, if these pretences (I say) and all persons, that submit themselves to that part of the Popes power, be not by all possible severity, repressed and punished; The State of Christian Kings, will be no other than the ancient Torment described by the Poets, in the Hell of the Heathens, a man sitting richly robed solemnly attended, delicious fare, &c. With a Sword hanging over his Head, hanging by a small thread, ready every moment to be cut down, by an accusing, and accursed hand. Surely, I had thought they had been the prerogatives of God alone, and of his secret Judgements; Solvam Cingula Regum, I will loosen the Girdles of Kings; Or again, He powreth contempt upon Princes, or I will give a King in my wrath, and take him away again, in my displeasure. And the like, But if these be the Claims of a Mortal Man, certainly, they are but the Mysteries of that Person which exalts himself above all that is called God, Supra omne quod dicitur Deus (Note it well) Not above God. (though that in a sense be true in respect of the Authority they claim over the Scriptures) But Above all that is called God, that is, Lawfull Kings and Magistrates.

But my Lord. in this Duell I find this Talbot that is now before you, but a Coward, For he hath given ground, he hath gone backward and forward, but in such a fashion, and with such interchange of Repenting, and relapsing, as I cannot tell whether it doth extenuate or aggravate his Offence. If he shall more publiquely in the face of the Court fall, and settle, upon a right mind, I shall be glad of it, and he that would be against the Kings mercy, I would he might need the Kings mercy, but nevertheless, the Court will proceed by Rules of Justice.

The offence wherewith I charge this Talbot, Prisoner at the Bar, is this, in brief and in effect, that he hath maintained, and maintaineth under his hand a power in the Pope for the Deposing and murdering of Kings. In what sort he doth this, when I come to the proper and particular charge, I will deliver it in his own words, without pressing or straining.

But

But before I come to the particular charge of this man, I cannot proceed so coldly, but I must express unto your Lordships the extreme and imminent danger wherein our dear and dread Sovereign is, and in him we all; Nay, and wherein, all Princes of both Religions (for it is a common cause) do stand at this day, by the spreading and enforcing of this furious and pernicious Opinion of the Popes Temporal Power; which though the modest sort would blanch with the distinction of, *In ordine ad Spiritualia*, yet that is but an Elusion; for he that maketh the Distinction, will also make the Case. This peril, though it be in it self notorious, yet because there is a kind of dulness, and almost a Lethargy in this Age, give me leave to set before you two Glasses, such as certainly the like never met in one Age; the Glasses of France, and the Glass of England. In that of France, the Tragedies acted and executed in two immediate Kings; in the Glass of England, the same, or more horrible, attempted likewise in a Queen and King immediate, but ending in a happy deliverance. In France, H. 3. in the face of his Army, before the walls of Paris, stabbed by a wretched Jacobine Fryer, H. 4. (a Prince that the French do surname the Great) one that had been a Saviour and Redeemer of his Country from infinite calamities, and a Restorer of that Monarchy to the ancient state and splendour, and a Prince almost Heroical (except it be in the point of Revolt from Religion;) At a time, when he was as it were to mount on Horse-back, for the Commanding of the greatest Forces that of long time had been levied in France; this King likewise stilled by a Rascal votary, which had been enchanted and conjured for that purpose.

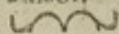
In England, Queen Elizabeth, of blessed memory; a Queen comparable, and to be rankt with the greatest Kings, oftentimes attempted by like Votaries, Somerville, Parry, Savage, and others, but still protected by the Watch-man that slumbereth not. Again, our excellent Sovereign King James, the sweetness and clemency of whose Nature, were enough to quench and mortifie all Malignity; and a King shielded and supported by Posterity: Yet this King in the Chair of Majesty, (his Vine and Olive branches about him;) attended by his Nobles, and Third Estate in Parliament, ready, in the twinkling of an eye, (as if it had been a particular Dooms-day) to have been brought to ashes, dispersed to the four Winds. I noted, the last day my Lord Chief Justice, when he spake of this Powder Treason, he laboured for words; though they came from him with great efficacy, yet he truly confessed, and so must all men, That that Treason is above the Charge and Report of any words whatsoever.

Now, my Lords, I cannot let pass, but in these Glasses which I spake of, besides the Facts themselves, and danger, to shew you two things. The one the ways of God Almighty, which turneth the Sword of Rome upon the Kings that are the Vassals of Rome, and over them gives it power; but protecteth those Kings which have not accepted the Yoak of his Tyranny from the effects of his malice. The other, that (as I said at first) this is a common cause of Princes; it involveth Kings of both Religions; and therefore his Majesty did most worthily and prudently ring out the Alarum Bell, to awaken all other Princes to think of it seriously, and in time. But this is a miserable case the while, that these Roman Souldiers do either thrust the Spear into the side of Gods Anointed, or at least they Crown them with Thorns; that is, piercing and pricking cares and fears, that they can never be quiet, or secure of their Lives or States. And as this peril is common to Princes of both Religions; so Princes of both Religions have been likewise equally sensible of every injury that touch't their Temporal.

Thuanus

A Charge
in the Star-
Chamber
against
William
Talbot.

A Charge
in the Star-
Chamber
against
William
Talbot.



Thuanus reports in his Story, that when the Realm of France was interdicted by the violent proceedings of Pope *Julius* the 2^d. the King, *Lewis* the 12th. otherwise noted for a moderate Prince, caused Coyns of Gold to be stamped with his own Image, and this Supercription: *Perdam nomen Babylonis e terra*. And *Thuanus* saith, himself hath seen divers pieces thereof. So as this Catholick King was so much incensed at that time, in respect of the Popes Usurpation, as he did fore run *Luther*, in applying *Babylon* to *Rome*. *Charles* the 5th. Emperour, who was accounted one of the Popes best Sons, yet proceeded, in matter temporal, towards Pope *Clement*, with strange rigour; never regarding the Pontificality, but kept him prisoner eighteen moneths in a pestilent Prison; and was hardly dissuaded by his Council from having sent him Captive into Spain; and made sport with the threats of *Frosberg*, the German, who wore a silk Rope under his Cassock, which he would shew in all companies; telling them, that he carried it to strangle the Pope with his own hands. As for *Philip* the Fair, it is the ordinary example, how he brought Pope *Boniface* the 8th. to an ignominious end, dying mad and enraged; and how he stiled his Rescript to the Popes Bull, whereby he challenged his Temporal; *Sciat Fautitas Vestra*; not your *Beatitude*, but your *Stultitude*; a stile worthy to be continued in like cases; for certainly that claim is meerly folly and fury. As for Native Examples here, it is too long a Field to enter into them. Never Kings of any Nation kept the Partition Wall between Temporal and Spiritual: better in times of greatest Superstition: I report me to King *Edward* 1. that set up so many Cresses, and yet crossed that part of the Popes Jurisdiction, no man more strongly. But these things have passed better Pens and Speeches: Here I end them.

But now to come to the particular Charge of this man, I must inform your Lordships the occasion and nature of this offence: There hath been published lately to the World a work of *Suarez*, a Portugese, a Professor in the University of *Cornbra*, a confident and daring Writer, such an one as *Tully* describes in derision; *Nihil tam verens, quam ne dubitare, aliqua de re, videatur*: One that fears nothing but this, least he should seem to doubt of any thing. A Fellow that thinks with his Magistrality, and Goose-quill, to give Laws and Mannages to Crowns and Scepters. In this mans writing this Doctrine of deposing and murdering Kings, seems to come to a higher elevation then heretofore; and it is more arted, and positived, then in others. For in the passages which your Lordships shall hear read anone, I find three Assertions which run not in the vulgar Tract, but are such as wherewith mens ears (as I suppose) are not much acquainted; whereof the first is, That the Pope hath a superiority over Kings, as Subjects, to depose them; not only for Spiritual Crimes, as Heresie and Schisme, but for faults of a Temporal Nature; soasmuch as a Tyrannical Government tendeth ever to the destruction of Souls. So by this Position, Kings of either Religion are alike comprehended, and none exempted. The second, that after a Sentence given by the Pope, this Writer hath defined of a Series, or succession or substitution of Hangmen, or Burrows to be sure, least an Executioner should fail. His Assertion is, That when a King is sentenced by the Pop to deprivation or death, the Executioner, who is first in place, is he to whom the Pope shall commit the Authority, which may be a foreign Prince, it may be a particular Subject, it may be, in general, to the first undertaker. But if there be no direction or assignation in the Sentence special nor general, then, de Jure, it appertains to the next Successor: (A natural and pious Opinion; for commonly they are Sons, or Brothers, or near of Kin, all is one.) So as the Successor be apparent, and also that he be a Catholick: But if he be doubtful.

doubtful, or that he be no Catholick, then it devolves to the Commonalty of the Kingdom; so as he will be sure to have it done by one Minister or other. In the third, he distinguisheth of two kinds of Tyrants, a Tyrant in Title, and a Tyrant in Regiment; The Tyrant in Regiment cannot be resisted or killed without a Sentence precedent by the Pope; but a Tyrant in Title may be killed by any private man whatsoever. By which Doctrine he hath put the judgment of Kings Titles (which I will undertake are never so clean, but that some vain Quarrel or Exception may be made unto them;) upon the fancy of every private man; and also couples the Judgment and Execution together, that he may judge him by a Blow, without any other Sentence.

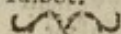
Your Lordships see what monstrous Opinions these are, and how both these Beasts, the Beast with seven Heads, and the Beast with many Heads, Pope and people; are at once let in, and set upon the sacred persons of Kings.

Now to go on with the Narrative: There was an Extract made of certain sentences and portions of this Book (being of this nature that I have set forth) by a great Prelate and Councillor upon a just occasion; and there being some hollownes and hesitation in these matters (wherein it is a thing impious to doubt) discovered and perceived in Talbot, he was asked his Opinion, concerning these Assertions, in the presence of his Majesty: And afterward they were delivered to him, that upon advice, and Sedato animo, he might declare himself, whereupon, under his hand, he subscribes thus.

May it please your Honourable good Lordships; Concerning this Doctrine of Suarez, I do perceive, by what I have read in his Book, that the same doth concern matter of Faith, the Controversie growing upon Exposition of Scriptures and Councils, wherein (being ignorant, and not studied) I cannot take upon me to judge; but I do submit mine Opinion therein to the judgment of the Catholick Roman Church, as in all other points concerning Faith I do: And for matter, concerning my Loyalty, I do acknowledge my Sovereign Liege Lord King James, to be lawful and undoubted King of all the Kingdomes of England, Scotland, and Ireland; and I will bear true Faith and Allegiance to his Highness, during my life.

NOW (my Lords) upon these words I charge William Talbot to have committed a great offence, and such an one as if he had entred into a voluntary and malicious publication of the like writing, it would have been too great an offence for the capacity of this Court. But because it grew from a Question askt by a Council of Estate, and so rather seemeth, in a favourable construction, to proceed from a kind of submission to answer, then from any malicious or insolent will, it was fit, according to the clemency of these times, to proceed in this manner before your Lordships: And yet let the hearers take these things right; for certainly, if a man be required by the Lords of the Council to deliver his Opinion whether King James be King or no? and he deliver his Opinion that he is not, this is High Treason: But I do not say that

*A Charge
in the Star-
Chamber
against
William
Talbot.*



A Charge
in the Star-
Chamber
against
William
Talbot.

that these words amount to that; And therefore let me open them truly to your Lordships, and therein open also, (it may be) the Eyes of the Offender himself, how far they reach.

My Lords, a Mansallegiance, must be Independant, not provisional, and conditional. *Elizabeth Barton*, that was called the *Holy Maid of Kent*, affirmed; That if *K. H. 8.* Did not take *Katherine of Spain*, again to his Wife, within a twelve moneth, he should be no King; And this was judged *Treason*. For though this Act, be Contingent and Future; yet *Treason* of compassing and imagining the Kings Destruction is present.

And in like manner, if a man should voluntarily publish or maintain; that whensoever a *Bull*, or *Deprivation* shall come forth against the King, that from thenceforth, he is no longer King: This is of like Nature, But with this I do not charge you neither: But this is the true Latitude of your Words; That if the *Doctrine* touching the killing of Kings, be Matter of Faith, that you submit your self to the Judgement of the *Catholick Roman Church*: So as now (to do you right) your Allegiance doth not depend simply upon a Sentence of the *Popes Deprivation*, against the King; But upon another point also; If these *Doctrines* be already, or shall be declared to be matter of Faith. But my Lords there is little won in this: There may be some Difference, to the guiltiness of the Party; But there is little to the danger of the King. For the same *Pope of Rome*, may with the same breath declare both. So as still upon the matter, the King is made but *Tenant at will*, of his Life and Kingdomes; And the Allegiance of his Subjects, is pinn'd upon the *Popes Act*. And certainly it is Time to stop the Current of this Opinion of acknowledgement of the *Popes power, in Temporaliis*; Or else it will supplant the Seat of Kings. And let it not be mistaken, that *Mr. Talbots* Offence should be no more, than the Refusing of the Oath of Allegiance. For it is one thing to be silent, and another thing to affirm. As for the Point of Matter of Faith, or not of Faith, To tell your Lordships plain, it would astonish a Man, to see the Gulf of this implied Belief. Is nothing excepted from it? If a Man should ask *Mr. Talbot*, whether he do condemn *Murder*, or *Adultery*, or *Rape*, or the *Doctrine* of *Mahomet*, or of *Arius*, in stead of *Suarez*; Must the answer be with this exception, that if the Question concern matter of Faith, (as no question, it doth for the Moral Law is matter of Faith) That therein, he will submit himself, to what the Church shall determine? And no doubt; the Murder of Princes, is more then *Simple Murder*. But to conclude (*Talbot*) I will do you this Right and I will not be reserved in this, but to declare that, that is true; That you came afterwards to a better mind; Wherein, if you had been constant, the King out of his great goodness, was resolved not to have proceeded with you, in Course of Justice. But then again you Started aside like a broken Bow. So that by your Variety, and Vacillation you lost the acceptable time, of the first Grace, which was not to have convented you.

Nay, I will go farther with you. Your last submission, I conceive to be *Satisfactory* and *Compleat*; But then it was too late, the Kings Honour was upon it; It was published and the Day appointed for hearing: Yet what preparation that may be to the second pardon, that I know not: but I know, my Lords, out of their accustomed favour will admit you not only to your Defence, concerning that, that hath been Charged; But to extenuate your Fault, by any Submission, that now, God shall put, into your mind, to make.

The

The Charge given by Sr. Francis Bacon, his Majesties Attorney General, against Mr. I. S. for Scandalizing, and Traducing in the publick Sessions, Letters sent from the Lords of the Councel, touching the Benevolence.

A Charge against I. S. for scandalizing the Benevolence

MY Lords, I shall inform you *ore tenus*, against this Gentleman, Mr. I. S. A Gentleman (as it seemes) of an ancient *House*, and *Name*, But for the present, I can think of him by no other Name, than the Name of a great Offender. The Nature and Quality of his Offence, in sum is this. This Gentleman, hath upon advice, not suddenly by his Pen; Nor by the slip of his Tongue; Not privately, or in a Corner, but publickly as it were to the face of the Kings Ministers and Justices; Slandered and Traduced the King our Sovereign; The Law of the Land, the Parliament, and infinite Particulars of his Majesties worthy and loving Subjects. Nay, the Slander is of that Nature, that it may seem to interest the People, in Grief and Discontent against the State; whence might have ensued, Matter of Murther and Sedition. So that it is not a Simple Slander, but a Seditious Slander, like to that, the Poet speaketh of — *Calamisque, armare Veneno.*

A Venemous Dart, that hath both Iron, and Poison—

To open to your Lordships the true State of this Offence, I will set before you First the Occasion, whereupon Mr. I. S. wrought: Then the Offence it self in his own words: And lastly the Points of his Charge.

My Lords, you may remember that there was the last Parliament, an Expectation to have had the King supplied with Treasure, although the Event failed. Herein, it is not fit for me to give opinion, of an House of Parliament, but I will give testimony of Truth in all places. I served, in the Lower House, and I observed somewhat. This I do affirm, that I never could perceive, but that there was in that House, a general Disposition to give, and to give largely. The Clocks in the House, perchance might differ: Some went too fast, some went too slow: But the Disposition to give, was general: So that I think, I may truly say: *Solo tempore lapsus Amor.*

This Accident, happening thus, besides expectation: It stirred up, and awaked in divers of his Majesties worthy servants, and Subjects of the Clergy, the Nobility, the Court and others here near at hand, an affection loving and cheereful; to present the King, some with Plate, some with Money, as Free will offering; (a Thing that God Almighty loves a Cheerfull Giver, what an Evil Eye doth, I know not (And my Lords) let me speak it plainly unto you; God forbid any Body should be so wretched, as to think, that the Obligation of Love and Duty, from the Subject, to the King, should be Joynt and not severall, No my Lords, it is both. The Subject petitioneth to the King in Parliament. He Petitioneth likewise, out of Parliament. The King on the other side, gives graces to the Subjects in Parliament: He gives them likewise and poureth them upon his People out of Parliament, and so no doubt the Subject may give to the King in Parliament, and out of Parliament. It is true the Parliament, is *Intercursus magnus*;

A Charge a-
gainst L. S.
for Scanda-
lizing the
Benevolence

The great *Intercourse* and main *Current* of *Graces*, and *Donatives* from the *King* to the *People*; from the *People* to the *King*: But *Parliaments* are held but at certain times: Whereas the passages are alwayes open for *Particulars*: Even as you see great *Rivers*, have their *Tides*; But particular *Springs* and *Fountains*, run continually.

To proceed therefore, as the *Occasion* (which was the failing of *Supply* by *Parliament*) did awake the *Love* and *Benevolence* of those, that were at hand to give: So it was apprehended and thought fit by my *Lords* of the *Council*, to make a proof whether the occasion and Example both, would not awake those in the *Country* of the better sort to follow. Whereupon, their *Lordsships* devised and directed *Letters* unto the *Sheriffs* and *Justices*, which declared what was done here above, and wished that the *Country* might be moved, especially *Men* of value.

Now my *Lords*, I beseech you give me favour and attention, to set forth, and observe unto you five *Points*: I will number them because other *Men* may note them; and I will but touch them, because they shall not be drowned, or lost in discourse) which I hold worthy the observation, for the *Honour* of the *State*, and *Confusion* of *Slanders*: Whereby it will appear most evidently, what care was taken that that which was then done, might not have the effect, no nor the shew, no nor so much as the shadow of a *Tax*, and that it was so far from breeding or bringing in any ill president or Example, as contrariwise, it is a *Corrective*, that doth *Correct* and *allay* the *Hardiness* and danger of former *Examples*.

The first is, That what was done, was done immediately after such a *Parliament*, as made general profession to give and was interrupted by accident: So as you may truly and justly esteem it; *Tanquam Posthuma Proles Parliamenti*; as an *After Child* of the *Parliament*; and pursuit (in some small measure) of the firm Intent of a *Parliament* past. You may take it also if you will, as an *Advance* or *Provisional Help*, untill a *Future Parliament*: Or as a *Gratification* simply without any Relation to a *Parliament*; you can no wayes take it amiss.

The Second is, that it wrought upon Example; as a thing not devised, Or projected, or required; No nor so much as recommended untill many that were never moved nor dealt with *Ex mero motu*, had freely and frankly sent in their presents. So that the *Letters* were rather like *Letters* of *Newes*, what was done at *London* then otherwise: and we know *Exempla ducunt non trahunt*; *Examples they do but lead, they do not draw nor drive*.

The Third is, That it was not done by *Commission* under the *Great Seal*; a thing warranted by a Multitude of *Presidents*, both ancient, and of late time, as you shall hear anon; and no doubt warranted by *Law*; So that, the *Commissions*, be of that *Stile* and *Tenour*, that as they be to move, and not to levy: But this was done by *Letters* of the *Council* and no higher *Hand*, or *Form*.

The Fourth is, That these *Letters* had no more shew of any *Binding Act* of *State*. For they contain not any special *Frame* of *Direction*, how the *Business* should be *Managed*; But were written, as upon trust; leaving the matter wholly to the *Industry* and *Confidence* of those in the *Country*; So that it was an *absque Compito*; Such a form of *Letter* as no *Man* could fitly be called to accompt upon.

The Fifth, and last *Point* is, that the whole *Carriage* of the *Business*, had no *Circumstance compulsory*. There was no *Proportion*, or *Rate*, set down nor so much as by way of a *Wish* there was no *Menace* of any that should deny

No

No Reproof of any that did deny, no certifying of the *Names* of any, that had denied. Indeed, if Men could not content the mselves to deny, but that they must censure, and inveigh; Nor to excuse themselves but they must accuse the *State*, that is another *Case*. But, I say, for Denying, no Man was apprehended, no nor noted. So that I verily think, that there is none so subtil a Disputer in the *Controversie* of *Liberum Arbitrium*, that can with all his Distinctions fasten or carp upon the *Act*, but that there was *Free will* in it.

I conclude therefore (My Lords) that this was a *True* and *pure* *Benevolence*; Not an *Imposition* called a *Benevolence*, which the *Statute* speaks of; As you shall hear, by one of my *Fellows*. There is a great Difference I tell you (though *Pilate* would not see it,) between *Rex Judæorum*, and *se dicens Regem Judæorum*; And there is a great difference, between a *Benevolence* and an *Exaction*, called a *Benevolence*; which the *Duke of Buckingham* speaks of, in his *Oration* to the *City*: And defineth it, to be not what the Subject of his good will, would give, but what the *King* of his good will, would take. But this I say, was a *Benevolence* wherein every man had a *Princes Prerogative*, a *Negative Voice*: And this word (*Excuse me*) was a *Plea peremptory*. And therefore, I do wonder, how Mr. *I. S.* could soul or trouble, so clear a Fountain; Certainly, it was but his own Bitterness, and unsound Humours.

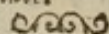
Now to the particular *Charge* amongst other *Countreys*, these *Letters* of the *Lords* came to the *Justices* of *D—shire*, who signified the Contents thereof; and gave *Directions*, and *appointments*, for meetings concerning the business, to several *Towns* and *Places*, within that *County*; and amongst the rest, notice was given, unto the *Town* of *A*: the *Major* of *A*; conceiving, that this Mr. *I. S.* (being a *Principall Person*, and a *Dweller* in that *Town*) was a Man likely to give both money and good Example: Dealt with him, to know his mind. He intending (as it seemes) to play prizes, would give no answer, to the *Major* in private, but would take Time. The next day then being an appointment of the *Justices* to meet, he takes occasion or pretends occasion to be absent, because he would bring his *Papers* upon the *Stage*: and thereupon, takes Pen in hand, and instead of excusing himself sets down and contriveth a *seditions* and *libellious* accusation against the *King* and *State*; which your *Lordsships* shall now hear, and sends it to the *Major*: and withal, because the Feather of his Quill might fly abroad, he gives authority to the *Major* to impart it to the *Justices* if he so thought good. And now my *Lords*, because I will not mistake or misrepeat, you shall hear the *Seditious Libell*, in the proper terms and words thereof.

Here the Papers were read.

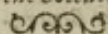
MY Lords, I know this *Paper* offends your Ears much, and the Eares of any good Subject: and sorry I am that the Times should produce Offences of this nature: But since they do I would be more sorry they should be passed without severe punishment: *Non tradite factum* (as the *Verses* sayes altered a little) *Aut si traditis, Facti quoque tradite penam*. If any man have a mind to discourse of the *Fact*; let him likewise discourse of the punishment of the *Fact*.

In this *Writing* (my Lords) there appears a *Monster* with four Heads, of the progeny of him that is the *Father* of *Lies* and takes his Name from *Islander*.

A Charge
against
I. S. for
scandalizing
the Benevo-
lence.



A Charge a-
gainst I. S.
for Scanda-
lizing the
Benevolence



The first is a wicked and seditious Slander, Or, (if I shall use the *Scripture* phrase) a Blaspheming, of the *King* himself; setting him forth, for a *Prince*, perjured in the great and solemn Oath of his *Coronation*; which is as it were the *Knot* of the *Diadem*; A *Prince* that should be a *Violator*, and *Infringer* of the *Liberties*, *Laws*, and *Customes* of the *Kingdome*; a mark for an *H.* the 4th. A *March* for a *R.* the 2d.

The Second is a *Slander* and *Falsification*, and *wresting* of the *Law* of the *Land*, gross, and palpable; it is truly said by a *Civilian*; *Tortura Legum pessima*, the *Torture* of *Laws*; is worse then the *Torture* of *Men*.

The third is a slander, and false charge of the *Parliament*, that they had denied to give to the *King* a point of notorious untruth.

And the last is a *Slander* and *Taunting* of an infinite Number of the *Kings* loving *Subjects*, that have given towards this *Benevolence* and *free Contribution*: Charging them as *Accessory* and *Coadjutours*, to the *Kings* *Perjury*. Nay you leave us not there, But you take upon you a *Pontifical Habit*, and couple your *Slander* with a *Curse*, but thanks be to *God*, we have learned sufficiently out of the *Scripture*, that as the *Bird* flies away, so the causeless *Curse* shall not come,

For the first of these, which concerns the *King*, I have taken to my self the opening and Aggravation thereof, the other three I have distributed to my *Fellowes*.

My *Lords*, I cannot but enter into this part with some *Wonder* and astonishment, How it should come into the Heart of a *Subject* of *England* to vapour forth such a wicked and venomous slander against the *King*, whose goodness, and Grace is comparable (if not incomparable) unto any the *Kings* *Progenitors*. This therefore gives me a just and necessary occasion to do two Things. The one to make some Representation of his *Majesty*; Such as truly he is found to be in his Government, which Mr. *I. S.* chargeth with *Violation* of *Laws*, and *Liberties*. The other to search and open the Depth of Mr. *I. S.* his Offence. Both which, I will do briefly; Because the one I cannot express sufficiently, And the other, I will not press too far.

My *Lords*, I mean to make no *Panegyrick* or *Laudative*: The *King* delights not in it, neither am I fit for it: But if it were but a *Councillor* or *Nobleman*, whose Name had suffered, and were to receive some kind of *Reparation*, in this *High-Court*, I would do him that Duty as not to pass his Merits and just Attributes, (especially such as are limited with the present Case) in silence: For it is fit to burn Incense where evil Odours have been cast and raised. Is it so that *King James* shall be said to be a *Violator* of the *Liberties*, *Laws*, and *Customes* of his *Kingdomes*? Or is he not rather a noble, and Constant *Protector* and *Conservator*, of them all? I conceive this consisteth in maintaining *Religion*, and the true *Church*; in maintaining the *Laws* of the *Kingdome*, which is the *Subjects* *Birth-right*; In temperate use of the *Prerogative*: In due, and free *Administration* of *Justice*, and *Conservation* of the *Peace* of the *Land*.

For *Religion*, we must ever acknowledge in the first place, that we have a *King*, that is the *Principal Conservator* of true *Religion* through the *Christian World*. He hath maintained it not only with *Scepter* and *Sword*, but likewise by his *Pen*, wherein also he is *Potent*.

He hath Awaked, and Reauthorised, the whole *Party* of the *Reformed Religion* throughout *Europe*: which through the *Insolency* and divers *Artifices*, and *Incantments*, of the advers part, was grown a little *Dull*, and *Dejected*. He hath summoned the *Fraternity* of *Kings* to infranchise themselves,

selves from the Usurpation of the See of Rome. He hath made himself a Mark of Contradiction for it.

Neither can I omit, when I speak of Religion, to remember that excellent Act of his Majesty; which though it were done in a Foreign Country, yet the Church of God is one, and the Contagion of these things will soon pass Seas and Lands: I mean, in his constant and holy proceeding against the Heretick Vorstius, whom (being ready to enter into the Chair, and there to have authorized one of the most pestilent and Heathenish Heresies that ever was begun) His Majesty by his constant opposition dismounted, and pul'd down. And I am perswaded, there sits in this Court one whom God doth the rather b'esse for being his Majesties Instrument in that Service.

I cannot remember Religion and the Church, but I must think of the seed-plots of the same, which are the Universities. His Majesty as for Learning amongst Kings he is incomparable in his Person; So likewise hath he been in his Government, a benign or benevolent Planet towards Learning. By whose influence those Nurseries, and Gardens of Learning, (the Universities) were never more in Flower, nor Fruit.

For the Maintaining of the Lawes, which is the Hedge and Fence about the Liberty of the Subject, I may truly affirm it was never in better repair. He doth concur with the Votes of the Nobles; *Nolumus Leges Angliæ mutare.* He is an Enemy of Innovation. Neither doth the Universality of his own Knowledge carry him to neglect or pass over the very Formes of the Lawes of the Land. Neither was there ever King (I am perswaded) that did consult so oft with his Judges; As my Lords that sit here know well. The Judges are a kind of Councell of the Kings by Oath and ancient Institution; But he useth them so indeed, He confers regularly with them upon their Returns from their Visitations and Circuits. He giveth them Liberty, both to enform him, and to debate matters with him; And in the Fall and Conclusion, commonly relyeth on their Opinions.

As for the use of the Prerogative, it runs within the ancient Channels, and Banks; some Things that were conceived, to be in some Proclamations, Commissions, and Pattents, as Overflows, have been by his Wisdom and Care reduced; whereby, no doubt, the Main Channel, of his Prerogative is so much the stronger. For evermore Overflows do hurt the Channel.

As for Administration of Justice, betwene Party and Party, I pray observe these points. There is no Newes, of Great Seal, or Signet, that flies abroad for Countenance or Delay of Causes: Protections rarely granted, and only upon great Ground, or by Consent: My Lords here of the Councel, and the King himself, medled not (as hath been used in former times) with Matters of *Meum* and *Tuum*, except they have apparent mixture with Matters of Estate, but leave them to the Kings Courts of Law, or Equity. And for Mercy and Grace (without which there is no standing, before Justice,) we see the King now hath reigned 12. years in his White Robe, without almost any Aspersions of the Crimson Die of Blood. There sits my Lord Hobert, that served Attorney seven years. I served with him. We were so happy, as there passed not through our hands, any one Arraignment for Treason; And but one, for any Capital Offence, which was that of the Lord Sanquier; The Noblest piece of Justice (one of them) that ever came forth in any Kings Time.

As for Penal Lawes, which be as Snares upon the Subjects: And which were

A Charge
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A Charge a-
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were as a *Nemo scit*, to King Henry 7. It yeelds a Revenue that will scarce pay for the Parchment of the Kings Records at Westminster.

And lastly for Peace, we see manifestly, his Majesty bears some Resemblance of that great Name: A Prince of Peace: He hath preserved his Subjects during his Reign in Peace, both within and without. For the Peace with States abroad, we have it *usque ad Satiatam*: and for Peace in the Lawyers phrase, which count Trespases, and Forces, & Riots to be *Contra pacem*: Let me give your Lordships this Token or Taste; That this Court, where they should appear, had never lesse to do. And certainly there is no better Sign of *Omnia bene*: than when this Court is in a Still.

But (my Lords) this is a Sea of Matter: And therefore I must give it over, and conclude; That there was never King reigned in this Nation, that did better keep Covenant, in preserving the Liberties, and procuring the Good of his People. So that I must needs say, for the Subjects of England *O Fortunatos nimium sua si bona norint*: as no doubt they do both know and acknowledge it: Whatsoever, a few turbulent Discourses may through the Lenity of the time take Boldness to speak.

And as for this particular, touching the Benevolence, wherein Mr. I. S. doth assign this breach of Covenant; I leave it to others to tell you; what the King may do; Or what other Kings, have done: But I have told what our King and my Lords have done: Which I say, and say again, is so far from introducing a new President; as it doth rather correct and mollifie, and qualifie former Presidents.

Now (Mr. I. S.) let me tell you your fault in few words; For that I am perswaded, you see it already; Though I woo no Mins Repentance; But I shall as much as in me is, cherish it where I finde it. Your Offence hath three parts knit together;

Your Slander;
Your Menace; and
Your Comparison.

For your Slander, it is no lesse, than that the King is perjured in his Coronation Oath. No greater Offence than Perjury: No greater Oath than that of a Coronation. I leave it; It is too great to aggravate.

Your Menace, that if there were a Bulling-broke, or I cannot tell what there were Matter for him, is a very seditious passage. You know well, that howsoever Henry the fourths Act by a secret Providence of God prevailed, yet it was but an Usurpation: And if it were possible for such a one to be this day, (wherewith, it seems your Dreams are troubled,) I do not doubt, his End would be upon the Block: And that he would sooner have the Ravens sit upon his Head at London Bridge, than the Crown at Westminster. And it is not your interlacing of your (God forbid) that will salve these seditious Speeches; Neither could it be a Fore-warning, because the Matter was past, and not revocable, But a very Stirring up, and Incensing of the People. If I should say to you (for Example) if these times were like some former times, of King H. 8. Or some other times, which God forbid, Mr. I. S. it would cost you your life. I am sure you would not think this to be a gentle warning, but rather that I incensed the Court against you.

And for your Comparison with R. the 2. I see you follow the Example of them that brought him upon the Stage, and into Print in Queen Elizabeths

best time a most prudent and admirable *Queen*; But let me entreat you that when you will speak of *Queen Elizabeth* or *King James*; you would compare them to *K. H. the 7th.* or *K. Ed. 1.* Or some other *Paralels* to which they are like. And this I would wish both, you and all, to take heed of: How you speak seditious Matter in *Parables* or by *Tropes*, or *Examples*. There is a thing in an *Indictment*, called an *Innuendo*; You must beware how you becken or make Signs upon the *King*, in a Dangerous sense: But I will contain my self and press this no further; I may hold you for Turbulent, or presumptuous, but I hope you are not Disloyal: You are graciously and mercifully dealt with. And therefore having now opened to my *Lords*, and (as I think) to your own Heart and Conscience, the principal part of your *Offence* (which concerns the *King*) I leave the rest which concerns the *Law*, *Parliament*, and the *Subjects*; that have given to Mr. *Serjeants* and Mr. *Solicitor*.

A Charge in
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The Charge of Owen, indicted of High Treason in the Kings Bench, by Sir Francis Bacon Knight, his Majesties Attorney General.

THe Treason wherewith this Man standeth Charged, is for the Kind and Nature of it Ancient; as Ancient as there is any *Law of England*: But in the particular, Late and Upstart: and again, in the Manner, and boldness of the present Case, New and almost unheard of till this Man. Of what mind he is now I know not, but I take him as he was, and as he standeth charged. For *High Treason* is not written in Ice; That when the Body relenteth, the Impression should go away.

In this Cause the Evidence it self will spend little Time: Time therefore, will be best spent in opening fully the Nature of this Treason, with the Circumstances thereof. Because the Example is more than the Man. I think good therefore by way of Inducement and Declaration in this Cause to open unto the Court jury and Hearers five Things.

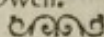
The first is the Clemency of the King; Because it is Newes, and a kind of Rarity to have a proceeding in this place upon Treason: and perhaps it may be marvelled by some, why after so long an Intermission it should light upon this Fellow: Being a person but contemptible, a kind of venomous fly; and a Hang by of the Seminaries.

The Second is, the Nature of this Treason, as concerning the Fact, which of all kinds of compassing the Kings Death. I hold to be the most perillous; and as much differing from other Conspiracies, as the lifting up of a 1000 Hands against the King (like the Giant *Bryarins*) differs from lifting up one or a few Hands.

The Third point that I will speak unto is the Doctrine or Opinion, Which is the ground of this Treason; Wherein I will not argue or speak, like a Divine or Scholler; But as a Man bred in a Civil Life: and to speak plainly, I hold the Opinion to be such that deserveth rather Detestation than Contemnation.

The Fourth point is the Degree of this Mans Offence; which is more pre-

A Charge in
the Kings
Bench a-
gainst
Owen.



presumptuous, than I have known any other to have fallen into this kind: and hath a greater overflow of *Malice* and *Treason*.

And Fifthly, I will remove somewhat that may seem to qualifie and extenuate this *Mans* Offence; in that he hath not affirmed simply that it is lawfull to kill the King, but conditionally; that if the King be *Excommunicate*, it is lawfull to kill him, which maketh little Difference, either in Law or Peril.

For the *Kings* Clemency, I have said it, of late upon a good Occasions. And I still speak it with comfort: I have now served his *Majesty* Soliciter and *Attorney* eight yeares and better: yet this is the first time that ever I gave in Evidence against a *Traitor* at this *Barr* or any other. There hath not wanted Matter in that party of the *Subjects* whence this kind of Offence floweth to irritate the King: He hath been irritated by the *Powder* *Treason*, which might have turned Judgement into Fury. He hath been irritated by wicked and monstrous *Libels*; Irritated by a general Insolency and presumption in the *Papists* throughout the Land; and yet I see his *Majesty* keepeth *Cæsars* Rule: *Nil malo, quam eos esse similes sui, & me mei.* He leaveth them to be like themselves; and he remaineth like himself; and striveth to overcome Evil with goodness. A strange thing Bloudy Opinions, Bloudy Doctrines, Bloudy Examples, and yet the *Government* still unstained with *Bloud*. As for this *Owen* that is brought in question, though his Person be in his Condition contemptible; yet we see by miserable *Examples*; That these Wretches which are but the Scum of the Earth, have been able to stir *Earth-quakes* by *Murthering* of *Princes*: And if it were in case of Contagion; (as this is a Contagion of the Heart and Soul;) a Rascal may bring in a Plague into the City, as well as a great Man: So it is not the Person, but the Matter that is to be considered.

For the *Treason* it self, which is the second Point, my Desire is to open it in the Depth thereof if it were possible, But it is bottomlesse: and so the *Civil Law* saith, *Conjuraciones omnium prodicionum odiosissima.* Against Hostile Invasions, and the adherence of *Subjects*, to *Enemies*, Kings can arm: *Rebellions*, must go over the Bodies of many good *Subjects* before they can hurt the King: but *Conspiracies* against the Persons of Kings, are like *Thunder-bolts* that strike upon the suddain, hardly to be avoided. *Major metus à singulis (saith he) quam ab universis.* There is no Preparation against them. And that Preparation, which may be of Guard or Custody, is a perpetual Misery. And therefore, they that have written of the Priviledges of *Ambassadours*, and of the Amplitude of *Safe-Conduits*, have defined; That if an *Ambassadour* or a Man that cometh in upon the highest *safe Conduits*, do practise Matter of *Sedition* in a State, yet by the Law of Nations, he ought to be remanded: But if he conspire against the Life of a Prince, by violence or Poyson, he is to be justiced: *Quia odium est omni Privilegio Majus.* Nay even amongst *Enemies*, and in the most deadly Wars, yet nevertheless *Conspiracy* and *Assassinate* of Princes, hath been accounted villanous and execrable.

The *Manners* of *Conspiring* and *Compassing* the Kings Death, are many: But it is most apparent, that amongst all the rest, this surmounteth. First because it is grounded upon pretended Religion; which is a *Trumpet*, that enflameth the Heart and Powers of a Man with Daring and Resolution, more than any thing else. Secondly it is the hardest to be avoided; For when a particular *Conspiracy* is plotted or attempted against a King by some one or some few *Conspiratours*, it meets with a number of impediments.

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Commonly, he that hath the *Head* to devise it, hath not the *Heart* to undertake it: And the *Person* that is used, sometime faileth in *Courage*, sometime faileth in *Opportunity*, sometimes is touched with *Remorse*. But to publish and maintain that it may be lawfull for any Man living to attempt the *Life* of a *King*, this Doctrine is a *Venomous Sop*; Or as a *Legion of Malign Spirits*; Or an universal temptation doth enter at once into the *Hearts* of all that are any way prepared or of any *Predisposition* to be *Traytors*: So that whatsoever faileth in any one, is supplied in many: If one *Man* faint, another will dare. If one man ha h not the opportunity, another hath: If one man Relent and will be *Desperate*. And Thirdly particular *Conspiracies*, have their *Periods of Time*, within which, if they be not taken, they vanish, But this is endless and importeth *Perpetuity* of springing *Conspiracies*. And so much concerning the *Nature* of the *Fact*.

For the *Third Point*, which is the *Doctrine*; that upon an *Excommunication* of the *Pope*, with *sentence of Deposing*; a *King* by any *Son of Adam* may be *slaughtered*; and that it is *Justice*, and no *Murther*; and that their *Subjects* are absolved of their *Allegiance*; And the *Kings* themselves exposed to *spoyl* and *Prey*. I said before that I would not argue the subtilty of the *Question*: It is rather to be spoken to, by way of *Accusation* of the *Opinion* as *Impious*; then by way of dispute of it as *Doubtfull*. Nay I say, it deserveth rather, some *Holy-war*, or *League*, amongst all *Christian Princes*, of either *Religion*, for the extirpating and Razing of the *Opinion*, and the *Authors* thereof, from the face of the *Earth*; then the *Stile of Pen*, or *Speech*. Therefore in this kind I will speak to it, a few words and not otherwise. Nay, I protest if I were a *Papist* I should say as much. Nay, I should speak it perhaps with more *Indignation* and *Feeling*. For this *Horrible Opinion*, is our *Advantage*, and it is their *Reproach*, and will be their *Ruine*.

This *Monster of Opinion* is to be accused of three most evident and most miserable *Slanders*.

First, of the *Slander* it bringeth to the *Christian Faith*, being a plain plantation of *Ireligion* and *Atheism*.

Secondly, the *Subversion* which it introduceth into all *Pollicy* and *Government*.

Thirdly, the great *Calamity* it bringeth upon *Papists* themselves, of which the more moderate sort, as men misled, are to be pittied.

For the First, if a man doth visit the *soul*, and polluted *Opinions*, *Customes*, or practises of *Heathenism*, *Mahometism*, and *Heresie*, he shall find they do not attain to this *Height*. Take the Examples of damnable *Memory*, amongst the *Heathen*. The *Proscriptions* in *Rome* of *Sylla*; and afterwards of the *Triumvirs*, what were they? They were but of a finite Number of *Persons*, and those not many that were exposed unto any *Mans Sword*. But what is that to the proscribing of a *King*, and all that shall take his part? And what was the reward of a *Souldier* that amongst them, killed one of the proscribed? a small piece of *money*: but what is now the reward of one that shall kill a *King*? The *Kingdom of Heaven*. The custome among the *Heathen*, that was most scandalized was, that sometimes the *Priest* sacrificed *Men*; but yet you shall not read of any *Priesthood* that sacrificed *Kings*.

The *Mahometans*, make it a part of their *Religion* to propogate their *Señ* by the *Sword*, but still by honourable *Wars*, never by *Villanies* and secret *Murthers*. Nay, I find that the *Saracen Prince* of whom the name of the *Assassins*, is derived; which had divers *Votaries* at *Commandement*, which he sent and imployed to the killing of divers *Princes* in the *East*; (by one of

A Charge in
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gainst M.L.
and others.

A Charge in
the Star
Chamber a-
gainst M. L.
and others.

whom *Amurath* the first was slain; And *Edward* the First of *England* was wounded) was put down and rooted out by a common Consent of the *Mahometan* Princes.

The *Anabaptists* (it is true) come nearest. For they profess the pulling down of *Magistrates*; and they can chaunt the Psalm, *To bind their Kings in Chains, and their Nobles in fetters of Iron*. This is the Glory of the *Saints*, much like the *Temporal Authority*, that the *Pope* Challengeth over *Princes*. But this is the difference, that that is a Furious and Fanatical Fury, and this is a sad and solemn Mischief. He imagineth mischief as a Law; A Law-like Mischief.

As for the *Defence* which they do make, it doth aggravate the sin; And turneth it from a Cruelty towards *Man* to a *Blasphemy* towards *God*. For to say that all this is *in ordine ad spirituale*; And to a good End, and for the *salvation of Souls*; It is directly to make *God Author of Evil*, and to draw him into the likeness of the *Prince of Darkness*, and to say with those that *Saint Paul* speaketh of, *Let us do Evil, that good may come thereof*. Of whom the *Apostle* saith definitively, *that their damnation is just*.

For the *Destroying of Government* universally it is most evident, that it is not the Case of *Protestant Princes* only, but of *Catholick Princes* likewise: As the *King* hath excellently set forth. Nay it is not the Case of *Princes* only, but of all *Subjects* and private Persons. For touching *Princes*, let History be perused, what hath been the Causes of *Excommunication*, and namely, this Tumour of it, (the *Deposing of Kings*,) It hath not been for *Heresie* and *Schism* alone, but for *Collation and Investitures of Bishopricks and Benefices*, *Intruding upon Ecclesiastical Possessions*, *violating of any Ecclesiastical Person, or Liberty*. Nay generally, they maintain it that it may be for any sin: So that the Difference wherein their *Doctors* vary; That some hold that the *Pope* hath his *Temporal power immediately*, and others but *in ordine ad spirituale*, is but a Delusion and an Abuse. For all commeth to one. What is there that may not be made spiritual by Consequence; specially, when He that giveth the Sentence, may make the Case; and accordingly hath the miserable Experience followed. For this *Murdering of Kings*, hath been put in practise, as well against *Papist Kings*, as *Protestants*. Save that it hath pleased *God*, so to guide it by his admirable providence; as the Attempts upon *Papist Princes* have been executed, and the Attempts upon *Protestant Princes* have failed, except that of the *Prince of Aurange*. And not that neither: untill such time as he had joyned too fast, with the *Duke of Anjou*, and the *Papists*.

The rest is wanting.

The Charge of Sr. Francis Bacon, the Kings Attorney General, against M. L. S. W. and H. I. for Scandal, and Trading of the Kings Justice in the proceedings against Weston: In the Star-Chamber, 10. Novemb. 1615.

THE Offence, wherewith I shall charge the three Offenders at the Bar, is a *Misdemeanour* of a high nature; tending to the defacing, and scandal of Justice, in a great Cause Capital. The particular Charge is this.

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The King amongst many his Princely vertues, is known to excel in that proper vertue of the Imperial Throne, which is Justice. It is a Royal Vertue which doth employ the other three Cardinal Vertues in her Service. Wisdome to discover, and discern Nocent or Innocent: Fortitude to prosecute and execute: Temperance, so to carry Justice, as it be not passionate in the pursuit, nor confused in involving persons upon light suspicion; Nor precipitate in time. For this his Majesties Vertue of Justice, God hath of late raised an occasion, and erected as it were a Stage or Theater much to his Honour, for him to shew it, and act it in the pursuit of the untimely Death of Sir Thomas Overbury; and therein cleansing the Land from Bloud. For (my Lords) if Bloud spilt, Pure, doth cry to Heaven in Gods Eares, much more Bloud defiled with Poison.

This great work of his Majesties Justice, the more excellent it is, your Lordships will soon conclude the greater is the Offence of any that have sought to Affront it, or Traduce it. And therefore, before I descend unto the Charge of these Offenders, I well set before your Lordships, the weight of that which they have sought to impeach: Speaking somewhat of the general Crime of Imposition; and then of the particular Circumstances of this Fact, upon Overbury: And thirdly, and chiefly, of the Kings great and worthy Care and Carriage in this Business.

This Offence of Imposition, is most truly figured in that Devise or Description, which was made of the Nature of one of the Roman Tyrants that he was *Lutum Sanguine maceratum*; Mire mingled or cemented with Bloud: For as it is one of the highest Offences in Guiltiness; So it is the basest of all others in the Mind of the Offenders. Treasons, *Magnum aliquid spectant*: They aim at great things; But this is vile and base. I tell your Lordships, what I have noted, that in all Gods Book, (both of the Old and New Testament) I find Examples of all other Offences and Offenders in the world, but not any one of an Imposition, or Imposer. I find mention of Fear casual Imposition, when the Wild Vine was shred into the Pot, they came complaining in a fearfull manner; *Maister mors in olla*. And I find mention of Poysons of Beasts, and Serpents; *The Poyson of Aspes is under their lips*. But I find no Example in the Book of God of Imposition. I have somewhat thought of the Word in the Psalm; *Let their Table be made a Snare*: Which certainly is most true of Imposition: For the Table, the daily Bread, for which we pray, is turned to a deadly Snare: But I think rather that that was meant of the Treachery of Friends, that were participant of the same Table.

But let us go on. It is an Offence (my Lords) that hath the two Spurs of Offending: *Spes Perficiendi*, and *Spes Celandi*. It is easily committed, and easily concealed.

It is an Offence, that is *Tanquam Sagitta nocte volans*; It is the Arrow that flies by night. It discerns not whom it hits: For many times the Poyson is laid for one, and the other takes it: As in Sanders Case, where the Poysoned Apple was laid for the Mother and was taken up by the Child, and killed the Child. And so in that notorious case, whereupon the Statute of 22. H. 8. Cap. 9. was made; where the Intent being to poyson, but one or two Poyson was put into a little Vessel of Barm, that stood in the Kitchin of the Bishop of Rochesters House; Of which Barm Pottage, or Gruel, was made wherewith 17. of the Bishops Family were Poysoned: Nay Divers of the Poor, that came to the Bishops Gate, and had the broken Pottage in Alms, were likewise Poysoned: and therefore if any Man, will comfort himself or think with himself, here is

A Charge in
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great Talk of *Impossonment*, I hope I am safe, For I have no Enemies; Nor I have nothing that any Body should long for; why? that is all one For he may sit at *Table* by one for whom *Poyson* is prepared and have a Drench of his Cup, or of his *Pottage*. And so as the Poet saith: *Concidit infelix alieno vulnere*; He may die another Mans Death. And therefore it was most gravely, and judiciously, and properly provided by that *Statute*, That *Impossonment* should be *High Treason*; Because whatsoever *Offence* tendeth to the utter Subversion and Dissolution of Humane Society is in the nature of *High Treason*.

Lastly, it is an *Offence* that I may truly say of it; *Non est nostri Generis, nec Sanguinis*. It is (Thanks be to God) rare in the *Isle* of *Britany*: It is neither of our *Country*, nor of our *Church*; you may find it in *Rome* or *Italy*. There is a *Region* or perhaps a *Religion* for it: And if it should come amongst us, certainly, it were better living in a *Wilderness* than in a *Court*.

For the particular *Fall* upon *Overbury*. First for the Person of Sir *Thomas Overbury*: I knew the Gentleman. It is true, his mind was great, but it moved not in any good Order: yet certainly it did commonly fly at good Things. And the greatest Fault that I ever heard by him was that he made his *Friend* his *Idol*. But I leave him as Sir *Thomas Overbury*.

But then take him as he was the *Kings Prisoner* in the *Tower*: And then see how the Case stands. In that place, the *State* is as it were *Respondent* to make good the *Body* of a *Prisoner*. And if any thing happen to him there, it may (though not in this Case, yet in some others) make an *Aspersion* and *Reflexion* upon the *State* it Self. For the Person is utterly out of his own Defence; His own Care and Providence, can serve him nothing. He is in Custody and preservation of *Law*. And we have a *Maxime* in our *Law*, (as my *Lords* the *Judges* know) that when a *State* is in preservation of *Law*, nothing can destroy it, or hurt it. And God forbid but the like should be, for the Persons of those that are in Custody of *Law*, and therefore this was a *Circumstance* of great *Aggravation*.

Lastly, to have a Man chased to Death in such manner (as it appears now by Matter of *Record*; For other Privacy of the Cause I know not) By *Poyson* after *Poyson*, first *Roseaker*, then *Arsenick*, then *Mercury Sublimate*, then *Sublimate* again; It is a Thing would astonish Mans nature to hear it. The Poets saign, that the *Furies* had whips that they were corded with *Poysonous Snakes*; and a Man would think that this were the very Case, to have a Man tied to a Post, and to scourge him to Death with *Snakes*: For so may truly be termed *Diversity* of *Poysons*.

Now I will come unto that which is the *Principal*: That is, his *Majesties Princely*, yea, and as I may truly term it, *Sacred* proceeding in this Cause. Wherein I will first speak of the *Temper* of his *Justice*, and then of the *Strength* thereof.

First it pleased my Lord Chief Justice to let me know (That which I heard with great Comfort) which was the Charge that his Majesty gave to himself first, and afterwards to the Commissioners in this Case, worthy certainly to be written in *Letters of Gold*, wherein his Majesty did forerank and make it his prime Direction that it should be carried without touch to any that was innocent. Nay more, not onely without *Impeachment*, but without *Aspersion*: which was a most Noble, and Princely Caution, from his Majesty, For Mens Reputations are tender Things; And ought to be like *Christs Coat*, without *Seam*. And it was the more to be respected in this

this Case because it met with two great Persons; a Noble Man that his Majesty had favoured and advanced; and his Lady being of a Great and Honourable House: Though I think it be true, that the Writers say, that there is no *Pomegranate*, so fair or so sound but may have a perished Kernel. Nay I see plainly that in those excellent Papers of his Majesties own Hand writing being as so many Beams of Justice issuing from that Vertue which doth shine in him; I say, I see it was so evenly carried without prejudice, (whether it were a true Accusation of the one part, or a Practise of a false accusation on the other) as shewed plainly that his Majesties Judgement was *tanquam Tabula Rasa*, as a clean pair of Tables, and his Ear *tanquam Janua aperta*, as a Gate not side open but wide open to Truth, as it should be by little and little discovered. Nay I see plainly, that at the first (till further Light did break forth) his Majesty, was little moved with the first Tale, which he vouchsafeth not so much, as the Name of a Tale; But calleth it a Rumour, which is an Headless Tale.

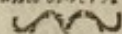
As for the Strength or Resolution, of his Majesties Justice I must tell your Lordships plainly. I do not marvel to see Kings thunder out Justice in Cases of Treason, when they are touched themselves; And that they are *Vindictæ Doloris proprii*: But that a King should *pro Amore Justitiæ* only, Contrary to the Tide of his own Affection, for the preservation of his people take such Care of a Cause of Justice, that is rare and worthy to be celebrated far and near. For, I think, I may truly affirm that there was never in this Kingdom, nor in any other Kingdom the Bloud of a private Gentleman vindicated, *Cum tanto motu Regni*, or to say better *Cum tanto Plausu Regni*. If it had concerned, the King or Prince there could not have been greater nor Better Commissioners to examine it. The Term hath been almost turned into a *Iusitium* or Vacancy: The People themselves: being more willing to be Lookers on in this Business, then to follow their own. There hath been no care of *Discovery* omitted, no moment of Time lost. And therefore I will conclude this Part, with the saying of Solomon, *Gloria Dei celare rem, & gloria Regis scrutari rem*. And his Majesties Honour, is much the greater for that he hath shewed to the World in this Business as it hath Relation to my Lord of Sommerset; (whose Case in no sort I do prejudge, being ignorant of the Secrets of the Cause but taking him as the Law takes him hitherto for a *Suspect*) I say the King hath to his great Honour, shewed that were any Man in such a Case of Bloud, as the Signet upon his Right Hand (as the Scripture sayes) yet would He put him off.

Now will I come to the particular Charge of these Gentlemen, whose Qualities and Persons I respect and love: For they are all my particular Friends: But now I can only do this duty of a Friend to them to make them know their fault to the Full.

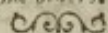
And therefore first I will by way of Narrative, declare to your Lordships the Fact, with the occasion of it: Then you shall have their Confessions read, upon which you are to proceed: Together with some Collateral Testimonies by way of Aggravation: And Lastly I will note and observe to your Lordships the Material points, which I do insist upon for their Charge and so leave them to their Answer. And this I will do very briefly for the Case is not perplexed.

That wretched Man Weston who was the Actor or Mechanical Party, in this Impoisment, at the first day being indicted by a very substantial Jury of

A Charge in
the Star-
Chamber a-
gainst M.L.
and others.



*A Charge in
the Star-
Chamber a-
gainst M. L.
and others.*



of Selected Citizens, to the number of 19. who found *Billaroria*, yet nevertheless at the first stood mute. But after some dayes intermission, it pleased God to cast out the Dumb Devil; and that he did put himself upon his Tryal; And was by a Jury also of great value upon his Confession, and other Testimonies, found guilty. So as 31. sufficient Jurours have passed upon him; whereupon Judgment and Execution, was awarded against him. After this, being in preparation for another World, he sent for *St. Thomas Overburies Father*, and falling down upon his knees, with great Remorce, and Compunction, asked him forgiveness. Afterwards again, of his own Motion, desired to have his like prayer of forgiveness, recommended to his Mother who was absent. And at both times, out of the abundance of his Heart, Confessed that he was to die justly, and that he was worthy of Death. And after again at his Execution (which is a kind of sealing time of Confessions) even at the point of Death (although there were Tempters about him, as you shall hear by and by) yet he did again, confirm publickly, that his Examinations were true; and that he had been justly, and honourably dealt with. Here is the Narrative, which enduceth the Charge. The Charge itself is this.

M. L. Whose Offence stands alone single (the Offence of the other two being in consort; and yet all three meeting in their End and Center, which was to interrupt or deface this Excellent piece of justice) *M. L.* (I say) mean while, between *Westons* standing mute, and his Tryal, takes upon him to make a most false, Odious, and Libellious Relation, containing as many Untruths, as Lines, and sets it down in writing with his own Hand; And delivers it to *Mr. Henry Gibb*, of the *Bed-chamber*, to be put into the Kings Hand. In which writing, he doth falsifie and pervert, all that was done the first day, at the Arraignment of *Weston*; Turning the Pike, and Point of his Imputations, principally, upon my Lord Chief Justice of England. Whose Name (thus occurring) I cannot pass by, and yet I cannot skill to flatter. But this I will say of him, and I would say as much to Ages, If I should write a story: That never mans person and his place, were better met in a Business, then my Lord Cook and my Lord Chief Justice in the Cause of Overbury.

Now my Lords, in this Offence of *M. L.* For the particulars of these scandalous Articles, I will observe them unto you when the Writings and Examinations are read, For I do not love to see the Gloss before the Text. But in general I note to your Lordships, First the person of *M. L.* I know he is a Scottish Gentleman, and thereby more ignorant of our Lawes and Formes. But I cannot tell, whether this doth extenuate his Fault in respect of Ignorance; Or aggravate it much in respect of Presumption; That he would meddle in that that he understood not: But I doubt, it came not out of his Quivers. Some other Mans Cunning wrought upon this Mans Boldnesse. Secondly I may note unto you the Greatness of the Cause, Wherein he being a private mean Gentleman did presume to deal. *M. L.* could not but know to what great, and grave Commissioners the King had committed this Cause: And that his Majesty in his Wisedome, would expect return of all things, from them to whose trust he had committed this Business. For it is the part of Commissioners, as well to report the Business as to mannage the Business; and then his Majesty, might have been sure to have had all things well weighed and truly informed: And therefore it should have been far from *M. L.* to have presumed, to have put forth his Hand, to so high, and tender a Business, which was not to be touched, but by Employed Hands. Thirdly, I note to your Lordships, that this

this Infusion of a Slander into a Kings Ear, is, of all *Formes of Libels*; and *Slanders* the worst. It is true, that *Kings* may keep secret their Informations and then no Man ought to enquire after them, while they are shrined in their Breast. But where a *King* is pleased, that a Man shall answer, for his false Information there I say, the false Information to a *King*, exceeds in Offence, the false Information of any other kind; Being a kind (since we are in matter of *Poyson*,) of *Impossession* of a *Kings* Ear. And thus much for the Offence of *M. L.*

For the Offence of *S. W.* and *H. I.* which I said was in consort, it was shortly this. At the Time and Place of the Execution of *Weston*; To supplant his *Christian* Resolution, and to scandalize the Justice already past, and perhaps to cut off the thread of that which is to come; These Gentlemen with others came mounted on Horseback; And in a Ruffling and Facing manner, put themselves forward to re-examine *Weston* upon Questions; and what Questions? Directly cross to that, that had been tryed, and judged: for what was the point tried? That *Weston* had *poysoned* *Overbury*: What was *S. W.* Question; whether *Weston* did *poison* *Overbury* or no? a Contradictory directly: *Weston* answered only, that he did him wrong: And turning to the Sheriff said, You promised me, I should not be troubled at this time. Nevertheless he pressed him to answer saying, He desired to know it, that he might pray with him. I know not that *S. W.* is an Ecclesiastick, that he should cut any man from the Communion of Prayer: And yet for all this vexing of the Spirit of a poor Man, now in the Gates of Death; *Weston* nevertheless, stood constant, and said; I die not unworthily: My Lord Chief Justice, hath my mind under my hand, and he is an honourable and just judge. This is *S. W.* his offence.

For *H. I.* he was not so much a Questionist; but wrought upon the others Questions, and like a kind of Confessor, wished him to discharge his Conscience, and to satisfy the World. What World I marvel? It was sure the World at *Tyburn*: For the World at *Guild-Hall*, and the World at *London* was satisfied before; Telle the Bells that rang: But men have got a fashion now a dayes, that two or three busie Bodies, will take upon them the Name of the World; And broach their own Conceits, as if it were a general Opinion: Well, what more? When they could not work upon *Weston* then *H. I.* in an indignation, turned about his Horse (when the other was turning over the Ladder) and said, he was sorry of such a Conclusion: that was to have the State honoured or justified: But others took and reported his words in another degree: but that I leave, seeing it is not Confessed.

H. I. his Offence had another appendix, before this in time; which was that at the day of the Verdict given up by the Jury, he also would needs give his Verdict, saying openly that if he were of the jury, he would doubt what to do. Marry (he saith) he cannot tell well, whether he spake this before the Jury had given up the Verdict or after: Wherein there is little gained. For whether *H. I.* were a Pre-Jurour or a Post Jurour; The one was as to prejudge the Jury, the other as to taint them.

Of the Offence of these two Gentlemen in general your Lordships must me leave to say, that it is an Offence greater and more dangerous than is conceived. I know well that as we have no *Spanish Inquisitions*, nor Justice in a Corner; So we have no Gaggings of Mens Mouths, at their Death, But that they may speak freely at the last hour, but then it must come from the free motion of the Party, not by Temptation of Questions. The Questions that are to be asked ought to tend to further revealing of their own or others guiltiness, but to use a Question in the Nature of a false Interrogator

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gatory, to falsitie that which is *Res judicata* is intollerable. For that were to erect a Court, or Commission of Review at *Wyburn*, against the *Kings Bench* at *Westminster*. And besides, it is a thing vain and idle: For if they answer according to the Judgement past, it adds no credit; Nor if it be contrary, it derogateth nothing. But yet, it subjecteth the Majesty of Justice, to popular and vulgar Talk and opinion.

My Lords, these are great and dangerous Offences: For if we do not maintain Justice, Justice will not maintain us.

But now your Lordships shall hear, the Examinations themselves, upon which, I shall have occasion to note some particular Things, &c.

The Effect of that which was spoken by the Lord Keeper of the Great Seal of England, at the taking of his place in Chancery; In performance of the Charge, his Majesty had given him when he received the Seal, 1617,

BEfore I enter into the Business of the Court, I shall take advantage of so many Honourable witnesses, to publish, and make known summarily, what charge the Kings most excellent Majesty gave me, when I received the Seal, and what Orders and Resolutions my Self have taken in Conformity to that charge, that the King may have the Honour of Direction; And I the part of Obedience: Whereby, Your Lordships and the rest of the Presence shall see the whole Time of my sitting in the Chancery, (which may be longer or shorter, as please God and the King) contracted into one Hour. And this I do, for three Causes,

First to give account to the King of his Commandement.

Secondly, that I may be a guard and Custody to my self, and my own Doings; That I do not swerve or recede from any Thing that I have professed, in so Noble Company.

And thirdly, that all men, that have to do with the Chancery, or the Seal, may know, what they shall expect: And both set their Hearts, and my Ears at rest: Not moving me to any Thing against these Rules: Knowing that my Answer is now turned from a *Nolumus*, into a *Non possumus*. It is no more, *I will not*, but *I cannot* after this Declaration.

And this I do also under three Cautions.

The first is, that there be some things of a more Secret, and Counsel like, Nature, which are rather to be *Aded*, then published. But these things which I shall speak of to day, are of a more publick Nature.

The second is, that I will not trouble this Presence with every particular; which would be too long; But select those things which are of greatest efficacy, and conduce most, *ad summas Rerum*: Leaving many other particulars, to be set down, in a publick Table, according to the good example of my last Predecessour, in his Beginning.

And lastly, that these Imperatives, which I have made but to my self, and my Times be without prejudice, to the Authority of the Court, or Wiser men that may succeed me: And chiefly, that they are wholly submitted unto the great Wisdom of my Sovereign (the absolute Prince in Judicature, that hath been in the Christian World) For if any of these Things,

Things which I intend to be *Subordinate* to his Directions, shall be thought by his Majesty to be *Inordinate*, I shall be most ready, to reform them. These things are but *tantum Alhum Prætoris*; For so did the *Roman Prætors* (which have the greatest Affinity, with the Jurisdiction of the *Chancellor* here) who used to set down at their Entrance, how they would use their Jurisdiction. And this I shall do (*my Lords*) in *verbis Masculis*; No flourishing or Painted Words, but such as are fit to go before *Deeds*.

His Lordships
Speech at
the taking
his place in
Chancery.

The Kings Charge, which is my Lanthorn, rested upon four Heads.

THE first was that I should contain the Jurisdiction of the Court within his true and due Limits, without *Swelling* or *Excess*.

The second, that I should think the putting of the Great Seal to *Letters Patents*, was not a matter of *Course* after precedent *Warrants*; But that I should take it to be the *Maturity* and *Fulness* of the Kings Intentions: And therefore that it was one of the greatest parts of my Trust, if I saw any *Scruple* or *Cause* of stay, that I should acquaint him concluding with a *Quod dubites nesceris*.

The third was that I should retrench all unnecessary delays, that the Subject might find that he did enjoy the same *Remedy* against the Fainting of the *Seal*, and against the Consumption of the Means, and estate; which was *speedy Justice* *Bis dat, qui cito dat*.

The fourth was that *Justice* might pass with as easie charge as might be, and that those same *Brambles* that grow about Justice of needless Charge and expence and all manner of *Exactions* might be rooted out so far as might be.

These *Commandements* (*my Lords*) are *Righteous*; And (as I may term them) *Sacred*, and therefore to use a sacred Form: I pray God bless the King for his great care over the Justice of the *Land*; and give me his poor Servant Grace, and Power to observe his *Precepts*.

Now for a beginning towards it, I have set down and applyed particular Orders to every one of these four general Heads.

For the *Excess* or *Tumour* of this Court of *Chancery* I shall divide it into five Natures.

The first is when the Court doth embrace or retain *Causes* both in matter and Circumstance meereley Determinable, and Fit for the *Common Law*. For (*my Lords*) the *Chancery* is ordained to supply the *Law*, and not to subvert the *Law*. Now to describe unto you or delineate what those *Causes* are (and upon what differences) that are fit for the Court, were too long a Lecture. But I will tell you what remedy I have prepared. I will keep the *Keys* of the Court my self, and I will never refer any Demurrer or Plea (tending to discharge or dismiss the Court of the Cause) to any Mr. of the *Chancery*; But judge of it my self, or at least the Mr of the *Rowles*, nay further I will appoint regularly, that on *Tuesday* in every week (which is the day of Orders) first to hear all *Motions* of that Nature before any other, that the Subject may have his *Vale* at first without further attending, and that the Court do not keep and accumulare a *Miscellany* and confusion of *Causes* of all natures.

The second Point, concerneth the time of the Complaint and the late comers into the *Chancery*: which stay till a *Judgement* be passed against them

His Lord-
ships
Speech at
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Chancery.

at the *Common Law*, and then complain: Wherein your *Lordsships*, may have heard a great *Rattle*, and a *Noise* of a *Premunure*, and I cannot tell what. But that *Question* the *King* hath settled according to the ancient pre-*sidents*, in all times continued. And this I will say, that the *Opinion* not to relieve any *Cause* after *Judgement* would be a guilty *Opinion*: Guilty of the *Ruine* and *Naufrage*, and perishing of infinite *Subjects*: and as the *King* found it well out; why should a *Man* fly into the *Chancery* before he be Hurt? The whole need not the *Physician*, but the sick. But (My *Lords*) the *Power* would be preserved, but then the *Practise* would be moderate. My *Rule* shall be therefore, that in *Cause* of *Complaints*, after *Judgement*; (except the *Judgements* be upon *Nihil dicit*, which are but *Disguises* of *Judgement* obtained in *Contempt* of a preceeding *Order* of this *Court*) yea, and after *Verdicts* also, I will have the *Party complainant* enter into good *Bond*, to prove his *Suggestion*: So that if he will be relieved against a *Judgement* at *Common Law*, upon *matter of Equity*, He shall do it, *Tanquam in Vinculis*, at his *Peril*.

The *Third Point* of *Excess* may be the over *Frequent* and *Facile Granting* of *Injunctions* for the staying of the *Common Lawes*, or the *Altering Possessions*; wherein these shall be my *Rules*.

I will grant no *Injunction*, meerly upon *Priority* of *suit*: That is to say Because this *Court* was first possessed: A *Thing* that was well reformed in the late *Lord Chancellors* time, but used in *Chancellor Broomleys* time: In-*so*much as I remember that *Mr. Dalton* the *Counsellor* at *Law*, put a *Pasquil* upon the *Court*, in nature of a *Bill*, for seeing it was no more, but *My Lord*, the *Bill* came in on *Munday*, and the *Arrest* at *Common Law* was on *Tuesday*, I pray the *Injunction* upon *Priority* of *Suite*, He caused his *Client* that had a *Loose Dobter*, to put a *Bill* into the *Chancery* before the *Bond* due to him was forfeited, to desire an *Order*, that he might have his *money* at the *Day*, because he would be sure to be before the other. I do not mean to make it a *Matter* of an *Horse-Race* or *Poasting* who shall be first, in *Chancery*, or in *Courts* of *Law*.

Neither will I grant an *Injunction* upon *matter*, contained in the *Bill* only be it never so smooth and *Specious*: But upon *matter* confessed in the *Defendants Answer*, or *matter pregnant in Writing*, or of *Record*; Or upon *Contempt* of the *Defendant* in not *Appearing* or not *Answering* or *Trifling* with the *Court* by *insufficient Answering*. For then it may be thought the *Defendant* stands out upon purpose to get the start at the *Common Law*, And so to take *Advantage* of his own *Contempt* which may not be suffered.

As for *Injunctions* for *Possession* I shall maintain *possessions* as they were at the time of the *Bill* exhibited; And for the space of a year before *Except* the *possession* were gotten by *Force* or by any *Trick*.

Neither will I alter *Possession* upon *Interlocutory Orders*, until a *Decree*: *Except* upon *Matter* plainly confessed in the *Defendants Answer* joyned with a plain *Disability* and and *Insolvency* of the *Defendants* to answer the *Profits*.

As for taking the *Possession* away in respect of *Contempts* I will have all the proceedings of the *Court* spent first and a *Sequestration* of the *Profits* before I come to an *Injunction*.

The *Fourth part* of *Excess* is concerning the *Communicating* of the *Authority* of the *Chancellor* too far; And making upon the *matter*, to many *Chancellors* by relying too much upon *Reports* of the *Masters of the Chancery*, as *convenient*. I know my *Lords*, the *Masters of the Chancery* are *Revered Men*: And

And the great Mals of Buſinels of the Court cannot be ſped, without them; and it is a thing the Chancellor may ſoon fall into for his own Eaſe. to rely too much upon them. But the Courſe that I will take generally ſhall be this: That I will make no Binding Order upon any report of the Maſters, without giving a ſeven nights day at the leaſt, to ſhew cauſe, againſt the Reports (which nevertheleſs I will have done modeſtly, and with due reverence towards them) and again I muſt utterly diſcontinue, the making of an Hypothetical or Conditional Order; that if a Maſter of the Chancery, do certiſie thus, that then it is Ordered without further Motion; For that is a Surpriſe, and gives no time for Contradiſtion.

The laſt point of Exceſs is: If a Chancellor ſhall be ſo much of himſelf as he ſhould neglect aſſiſtance of Reverend Judges, in Caſes of Difficulty, (eſpecially if they touch upon Law) or Calling them ſhall do it, but *Pro forma tantum*, and give no due reſpect to their opinions: Wherein (My Lords) preſerving the Dignity and Maſteſty of the Court, (which I count rather increaſed than diminithed by grave and due Aſſiſtance) I ſhall never be found ſo Sovereign or abundant in mine own ſenſe but I ſhall both deſire, and make true uſe of Aſſiſtants. Nay I aſſure your Lordſhips if I ſhould find any main Diverſity of Opinion of my Aſſiſtants, from mine own; Though I know well the Judicature wholly reſides in my ſelf; yet I think I ſhould have Re- courſe to the Oracle of the Kings own Judgement, before I ſhould pronounce; and ſo much for the temperate uſe of the Authority of this Court wherein the health of the Court doth much conſiſt, as that of the Body conſiſts in Temperance.

For the Second Commandement of his Maſteſty touching ſtaying of Grants, at the Great Seal: There may be juſt Cauſe of Stay, Either in the matter of the Grant: Or in the manner of paſſing the ſame. Out of both which I extract theſe 6. principal caſes which I will now make known. All which nevertheleſs I underſtand to be wholly ſubmitted to his Maſteſties Will and Pleaſure after by me he ſhall have been informed? For if *Iteratum Mandatum* do come, Obedience is better than ſacrifice.

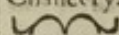
The Firſt Caſe is where any Matter of Revenue or Treaſure or Profit paſſeth from his Maſteſty; My firſt duty ſhall be to examine whether the Grant hath paſſed in the due and natural Courſe by the Great Officers of the Revenue (The Lord-Treaſurer and Chancellor of the Exchequer) and with their privy: which if I find not to be, I muſt preſume it to have paſſed in the dark, and by a kind of ſurreption; And will make ſtay of it till his Maſteſties pleaſure, be further known.

Secondly, if it be a Grant, that is not meerly vulgar, And hath not of Courſe paſſed at the Signet by a *Fac ſimile*, But needeth Science, my Duty ſhall be to examine whether it hath paſſed by the Learned Counſel and had their Dockets: which is that which his Maſteſty reads, and that leads him. And if I find it otherwiſe (although the Matter were not in it ſelf inconvenient) yet I hold it Juſt Cauſe of ſtay (for Preſidents ſake) to keep Men in the right way.

Thirdly, if it be a Grant which I conceive (out of my little knowledge) to be againſt the Law; Of which nature Theodoſius was wont to ſay, when he was preſſed; I ſaid it, but I granted it not, if it be unlawfull: I will call the learned Counſel to it; (as well him that drew the Book as the Reſt) or ſome of them; And if we find cauſe I will enform his Maſteſty of our Opinion, either by my ſelf, or ſome of them. For as for the Judges they are Judges of Grants paſt, but not of Grants to come, except the King call them.

His Lord.
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Speech at
the taking
his place in
Chancery.

His Lord-
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Fourthly, if the *Grants* be against the *Kings Booke of Bounty*; I am expressly Commanded to stay them until the *King* either Revise his *Book* in General, or give Direction in the particular.

Fifthly, if as a *Counsellor of Estate*, I do foresee inconvenience to ensue by the *Grant* in reason of *Estate*, in respect of the *Kings Honour* or Discontent, or Murmur of the People; I will not trust mine own Judgement but I will either acquaint his *Majesty* with it, or the *Counsel Table*, or some such of my *Lords* as I shall think fit.

Lastly, for *Matter of Pardons*: If it be of *Treason*, *Misprision of Treason*, *Murder*, either expressed or involute, by a *non obstante*; Or of a *Piracy*, or *Premunire*, or of *Fines*, or *Exemplary punishment* in *Star-Chamber*; Or of some other natures; I shall by the grace of *God* stay them until his *Majesty* (who is the *Fountain of Grace*) may resolve between *God* and him (understanding the Case,) how far *Grace* shall abound, or superabound.

And if it be of persons attainted and Convicted, of *Robbery*, *Burglary*, &c. Then will I examin whether the *Pardons* passed the hand of any Justice of *Assise*; Or other *Commissioners* before whom the *Trial* was made; and if not I think it my duty also to stay them.

Thus your *Lordships* see in this *Matter of the Seal*, agreeable to the Commandement I have received, I mean to walk in the *Light*; So that Men may know where to finde me; And this publishing thereof plainly, I hope will save the *King* from a great deal of Abuse; And me from a great deal of Envy; When men shall see that no particular Turn, or end, leads me but a general Rule.

For the third *General Head* of his *Majesties precepts*, concerning *Speedy Justice*, I am resolved that my *Decree* shall come speedily (not instantly) after the *Hearing* and my signed *Decree* pronounced. For it hath been a manner much used of late in my *Lords* last time (of whom I learn much to Imitate and with due reverence to his memory let me speak it, Much to avoid; That upon the Solemn and Full hearing of a Cause nothing is pronounced in Court; But *Breviates* are required to be made: Which I do not dislike in it self in Causes perplexed. For I confess I have somewhat of the *Cunctative*; And I am of Opinion, that whosoever is not wiser upon Advice than upon the suddain; The same Man is no wiser at 50. years old than he was at 30. And it was my *Fathers* ordinary Word; You must give me time. But yet I find that when such *Breviates* were taken, the Cause was sometimes forgotten a Term or two; And then set down for a new hearing or a Rehearing three or four Termes after. Of which kind of Intermission I see no use; and therefore I will promise regularly to pronounce my *Decree* within few Dayes after my hearing; and to sign my *Decree* at least in the Vacation, after the pronouncing. For Fresh Justice is the sweetest. And besides Justice ought not to be delayed; And it will also avoid all means making or Labouring; For there ought to be no Labouring in Causes, but the Labouring of the Counsel at the Bar.

Again because Justice is a Sacred Thing, and the end for which I am called to this place, and therefore is my way to *Heaven*; (And if it be shorter it is never a whit the worse) I shall by the grace of *God* (as far as *God* will give me strength) add the Afternoon to the Forenoon; and some Fourthnight of the Vacation, to the Term; For the the expediting and clearing of the Causes of Court: Only the Depth of the Three long Vacations, I would reserve in some measure free, for *Business of Estate*; and for Studies of *Artes* and *Sciences*, to which in my Nature I am most inclined.

There

There is another *Point of true Expedition*, which resteth much in *my self*, and that is the manner of givin orders. For I have seen an affectation of *Dispatch* turn utterly to *Delay*, and *Length*, for the manner of it, is to take the Tale out of the *Counsellor* at Bar his Mouth, and to give a *Cursory Order*; nothing tending or conducing to the end of the *Business*. It makes me remember what I heard one a say of a Judge, that late in the *Chancery*, that he would make 80 Orders in a Morning out of the way, and it was out of the way indeed; For it was nothing to the End of the *Business*, and this is that which makes 60, 80, 100. *Orders* in a Cause, to and fro begetting one another; and like *Penelopes Web*, doing and undoing. But I mean not to purchase the *Praise of Expedition* in that kind: But as one that have a feeling of my Duty, and of the Case of others, my Endeavour shall be to hear patiently, and to cast my Order into such a mould as may soonest bring the *Subject* to the End of his Journey.

As for such delays as may concern Others, the great Abuse is, that if the *Plaintiff* have got an *Injunction* to stay sutes at *Common Law*, then he will Spin on his Cause at length. But by the grace of God, I will make *Injunctions* an hard Pillow to sleep on: For if I find that he prosecutes not with effect he may hap when he is awake find not only his *Injunction dissolved*, but his Cause dismissed.

There be other particular Orders I mean to take for *Non Prosecution*, or faint prosecution wherewith I will not trouble you now, because *Summa sequar Fastigia Rerum*. And so much for matter of *Exposition*.

Now for the fourth and last point of the *Kings Commandement* For the cutting off of unnecessary charge of the *Subject*, a great part of it is fulfilled in the precedent Article, touching *Expedition*: For it is the Length of Suits, that doth multiply Charge chiefly, but yet there are some other Remedies that conduce thereunto.

First therefore I shall maintain strictly, and with severity the *Former Orders* which I find made by my Lord Chancellor for the immoderate and needless prolixity, and length of *Bills*, and *Answers* and so forth; As well in punishing the party, as fining the Counsel, whose hand I shall find at such *Bills Answers*, &c.

Secondly, for all the *Examinations* taken in the Court, I do give charge unto the *Examiners* (upon peril of their places) that they do not use idle *Repetitions*, or needless *Circumstances*, in setting down the *Depositions* taken by them; and I would I could help it likewise, in *Commissions* in the Country, But that is almost impossible.

Thirdly, I shall take a diligent Survey of the *Coppies* in *Chancery*; That they have their just number of Lines, and without open or wastfull writing.

Fourthly I shall be carefull that there be no *Exaction* of any new Fees but according as they have been heretofore set and Tabled.

As for *Lawyers Fees*, I must leave to the Conscience and Merit of the Lawyer; and the Estimation and Gratitude of the Client, but this I can do. I know there have used to attend this Bar a number of Lawyers, that have not been heard sometimes, scarce once or twice in a Term; and that makes the Client seek to great Counsel and Favourites (as they call them: A term fitter for Kings then Judges) and that for every Order that a mean Lawyer might dispatch and as well. Therefore to help the Generallity of Lawyers, and therein to ease the Client, I will constantly observe that every Tuesday

His Lord.
ships
Speech at
the taking
his place in
Chancery.
C. 159

and

A Speech in
the Star-
Chamber be-
fore the
Summer
Circuits.

And other dayes of *Orders* after nine a Clock stricken, I will hear the *Bar* until 11. or halfe an Hour after 10. at the least. And since we are upon the point, whom I will hear, your *Lordsships* will give me leave to tell you a *Fancy*. It falls out, that there be three of us the *Kings servants* in great place, that are *Lawyers* by *Descent* Mr. *Attorney* Son of a *Judge*, Mr. *Solicitor* likewise Son of a *Judge*, and my self a *Chancellers* Son.

Now because the *Law*, roots so well in my time, I will water it at the Root thus far, as besides these great Ones, I will hear any *Judges* Son before a *Sergeant*, and any *Seargeants* Son before a *Reader*.

Last y, for the better *Ease* of the *Subjects*; And the *Bridling* of contentious *Sutes*, I shall give better (that is greater) *Costs* where the *Suggestions* are not proved than hath been hitherto used.

There be divers other *Orders* of *Writts* and for *Granting* of *Benefices* and other things which I shall set down in a *Table*. But I will deal with no other too day, but such as have a proper Relation to his *Majesties* *Commandement*: It being my *Comfort* that I serve such a *Master* that I shall need to be but a *Conduit* for the *conveying* onely of his *Goodness* to his *People*. And it is true, that I do affect and aspire to make good that saying; that *Optimus Magistratus præstat optime Legi*; which is true in his *Majesty*. But for my self I doubt I shall not attain it. But yet I have a *Domestical* *Example* to follow. My *Lords*, I have no more to say but now I will go on to the *Business* of the *Court*.

The Speech which was used by the Lord-Keeper of the Great Seale in the Star-Chamber before the Summer Circuits, the King being then in Scotland 1617.

THE King by his perfect *Declaration* published in this place concerning *Judges* and *Justices* hath made the *Speech* of his *Chancellor*, accustomed before the *Circuits* rather of *Ceremony* than of *use*. For as in his *Book* to his *Son*, he hath set forth a true *Character* and *Platform* of a *King*; So in this *Speech*, he hath done the like of a *Judge* and *Justice*: Which sheweth that as his *Majesty* is excellently able to *Govern* in *chief*; So he is likewise well seen and skillful in the *inferiour* *Offices* and *Stages* of *Justice*, and *Government*: which is a thing very rare in *Kings*.

Yet nevertheless, somewhat must be said to fulfil an old *Observance*; But yet upon the *Kings* *Grounds* and very briefly: For as *Solomon* saith in another *Case*; *In these things who is he that can come after the King*.

First you that are the *Judges* of *Circuits*, are as it were the *Planets* of the *Kingdom*; (I do you no dishonour in giving you that name;) And no doubt you have a great stroak in the *Frame* of this *Government*; As the other have in the *Frame* of the *World*. Do therefore as they do, move alwayes and be carried with the *Motion* of your first *Mover*, which is your *Sovereign*. A popular *Judge* is a Deformed thing: And *Plaudites*, are fitter for *Players* than for *Magistrates*. Do good to the people, Love them and give them *Justice*. But let it be as the *Psalm* saith, *Nihil inde Expectantes*; Looking for nothing, neither *Praise* nor *Profit*.

Yet my *Meaning* is not when I wish you to take heed of *Popularity*, that

that you should be imperious and strange to the Gentlemen of the *Court*. You are above them in Power, but your Rank is not much unequal: and learn this; That Power, is ever of greatest strength when it is civilly carried.

Secondly, you must remember that besides your ordinary Administration of Justice, you do carry the two Glasses or Mirrours of the State: For it is your Duty in these your Visitations; To Represent to the People the Graces and Care of the King. And again upon your Return; To present to the King the Distresses and Grievs of the People.

Mark what the King says in his Book: *Procure Reverence to the King and the Law: Inform my People truly of me; (which we know is hard to do according to the Excellency of his Merit, but yet Endeavour it) How zealous I am for Religion; How I desire Law may be maintained and flourish; That every Court should have his Jurisdiction; That every Subject should submit himself to the Law.* And of this you have had of late no small Occasion of Notice, and Remembrance by the great and straight Charge, that the King hath given me as *Keeper of his Seal*, for the Governing of the Chancery without Tumour or Excess.

Again *à renata*, you at this present ought to make the People know, and consider the Kings Blessed Care and Providence in governing this Realm, in his Absence. So that sitting at the Helm of another Kingdom; Not without great Affaires and business; yet he governs all things here by his Letters and Directions, as punctually and perfectly as if he were present.

I assure you my Lords of the Counsel, and I do much admire the Extent and Latitude of his Care in all things.

In the High Commission he did conceive a Sinnew of Government was a little shrunk; He recommended the care of it.

He hath called for the Accounts of the last Circuit from the Judges to be transmitted unto him into Scotland.

Touching the Infestation of Pyrates, he hath been careful and is, and hath put things in a way.

All things that concern the Reformation or the Plantation of Ireland; He hath given in them punctual and resolute Directions. All this in Absence.

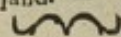
I give but a few Instances of a publique Nature; The Secrets of Counsel I may not enter into; Though his Dispatches into France, Spain and the Low-countries, now in his absence are also Notorious as to the outward sending. So that I must conclude that his Majesty wants but more Kingdomes; For I see he could suffice to all.

As for the other Glasse I told you of; Of representing to the King the Grievs of his People; without doubt it is properly your Part: For the King ought to be informed of any thing amiss in the state of his Countries from the Observations and Relations of the Judges (That indeed they know Pulse of the Country) Rather than from Discourte. But for this Glasse (thanks be to God) I do hear from you all; That there was never greater Peace Obedience and Contentment in the Country: Though the best Governments be alwayes like the fairest Crystals wherein every little Isle or Grain is seen which in a Fouler Stone is never perceived.

Now to some Particulars, and not Many. Of all other things I must begin as the King begins; That is with the Cause of Religion, and especially the Hollow Church Papist. Saint Aug. hath a good Comparison of such

*A Speech in
the Star-
Chamber be-
fore the
Summer
Circuit.*

A Speech to
Sir W.
Jones called
to be a Chief
Just. of Ire-
land:



such Men affirming, that they are like the *Roots* of *Nettles* which themselves sting not; but yet they bear all the stinging Leaves. Let me know of such *Roots* and I will root them out of the Country.

Next, for the Matter of Religion: in the principal place I recommend both to you and to the *Justices*, the Countenancing of *Godly* and *Zealous Preachers*. I mean not *Sectaries* or *Novellists*; But those which are sound, and conform; But yet pious and Reverend. For there will be a perpetual Defection, except you keep Men in, by *Preaching* as well as Law doth by *punishing*: and commonly *Spiritual Diseases* are not cured but by *Spiritual Remedies*.

Next, let me commend unto you the Repressing (as much as may be) of Faction in the Countrys, of which ensue infinite Inconveniencies, and perturbations of all good Order; and crossing of all good Service in Court or Country, or whersoever. *Cicero* when he was *Consul* had devised a fine Remedy (a Mild one but an effectual and apt one) For he saith *Eos qui otium perturbant reddam otiosos*. Those that trouble others Quiet, I will give them Quiet; They shall have nothing to do; Nor no Authority shall be put into their Hands. If I may know from you, of any who are in the Country that are Heads, or Hands of Faction; Or men of turbulent Spirits I shall give them *Cicero's* Reward as much as in me is.

To conclude study the *Kings Book*, and study your selves how you profit by it, and all shall be well. And you the *Justices of Peace* in particular, Let me say this to you; Never *King* of this Realm, did you so much Honour as the *King* hath done you in his *Speech*; By being your immediate Directors, and by sorting you and your service, with the Service of *Ambassadors* and of his nearest Attendants. Nay more it seems his Majesty, is willing to do the State of Justice of Peace Honour actively also; By bringing in with time, the like Form of *Commission*, into the Government of Scotland, as that Glorious *King Edward the third* did plant this *Commission* here in this *Kingd m*. And therefore you are not fit to be *Coppies* except you be *Fair Written*, without *Bloss* or *Blurs*, or any thing, unworthy your Authority. And so I will trouble you no longer for this time.

The Speech used by Sr. Francis Bacon, Lord-Keeper of the Great Seale of England, to Sir Will Jones upon his calling to be Lord Chief Justice of Ireland 1617.

Sir WILLIAM JONES,

THE *Kings* most Excellent Majesty, being duly informed of your sufficiency every way; Hath called you by his *Writ* now returned, to the State and Degree of a *Serjeant at Law*, But not to stay there, but being so qualified to serve him as his *Chief Justice* of his *Kings Bench*, in his *Realm of Ireland*. And therefore that which I shall say to you must be applied not to your *Serjeants* place (which you take but in passage) But to that great place where you are to settle, and because I will not spend Time to the Delay of the Business of *Causis* of the Court I will lead you

you the *short Journey by Examples* and not the *Long by Precepts*.

The *Place* that you shall now serve in, hath been fortunate to be well served, in your successions before you. Do but take unto you the constancy and integrity of *Sir Robert Gardiner*: The Gravity, Temper and direction of *Sir James Lea*: The quickness, industry and dispatch of *Sir Humphry Winch*: The Care and Affection to the *Common Wealth*, and the prudent and Politick Administration of *Sir John Denham*, And you shall need no other Lessons. They were all *Lincolns Inn Men* as you are, you have known them as well in their *Beginnings*, as in their *Advancement*.

But because you are to be there, not only *Chief Justice*, but a *Counsellor of Estate*, I will put you in mind of the great Work, now in hand that you may raise your thoughts, according unto it. *Ireland* is the last, *Ex Filis Europe*, which hath been reclaimed from Desolation, and a Desert (in many parts) to Population, and Plantation; And from Savage and Barbarous Customes, to Humanity, and Civility. This is the *Kings Work* in chief. It is his *Garland of Heroical Virtue and Felicity*; Denied to his Progenitors, and Reserved to his Times. The Work is not yet conducted to perfection, but is in fair Advance. And this I will say confidently, that if God bless this Kingdom with Peace and Justice; No Usurer is so sure in seven years space to double his *Principal* with *Interest*, and *Interest* upon *Interest*; As that Kingdom is within the same time to double the stock both of *Wealth* and *People*. So as that Kingdom which once within these Twenty years, *Wise men* were wont to doubt whether they should wish it to be in a *Poole*; Is like now to become almost a *Garden*, And younger Sister to *Great Britain*. And therefore you must set down with your self to be not only a just Governor and a good *Chief Justice* (as if it were in *England*) But under the *King* and the *Deputy* you are to be a *Master Builder*, and a *Master Planter*, and *Reducer* of *Ireland*. To which end, I will trouble you at this time but with Three Directions.

The First is, that you have special care of the Three Plantations. That of the *North*, which is in part acted; That of *Wexford*, which is now in Distribution; And that of *Longford*, and *Leitrim*, which is now in survey. And take this from me; That the Bang of a Plantation is when the *Undertakers* or *Planters* make such hast to a little *Mechanical present profit* as disturbeth the whole *Frame*, and nobleness of the work, for Times to come. Therefore hold them to their *Covenants*, and the strict *Ordinances* of Plantation.

The second is, that you be carefull, of the *Kings Revenues*; And by little and little constitute him a good *Demesne*, if it may be, Which hitherto is little or none. For the *Kings Case* is hard, when every Mans Land shall be improved in value with increase manifold; and the *King* shall be tied to his *Dry Rent*.

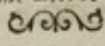
My last direction (though first in weight) is that you do all good Endeavours to proceed resolutely, and constantly (and yet with due Temperance, and Equality) in *Matters of Religion*; least *Ireland Civil*, become more dangerous to us, than *Ireland Savage*. So God give you Comfort of your Place.

After Sir William Jones Speech.

I had forgotten one thing, which was this. You may take exceeding great Comfort, that you shall serve with such a *Deputy*: One that (I think) is a Man ordained of God to do great Good to that Kingdom. And this I think good to say to you; That the true Temper of a *Chief Justice* towards a *Deputy* is Neither servilly to second him, nor factiously to oppose him.

A Speech to
Sir W.

Jones, called to be a
Chief Just.
of Ireland.

A Speech to
Sir John
Denham,
called to be
a Baron of
the Exch.


The Lord Keepers Speech in the Exchequer to Sir John Denham; when he was called to be one of the Barons of the Exchequer.

SIR John Denham, the King of his grace and favour hath made choice of you to be one of the *Barons* of the Exchequer; To succeed to one of the gravest and most Reverend Judges of this *Kingdome*; For so I hold *Baron Altham* was. The King takes you not upon Credit, but Proof, and great Proof of your former Service; and that in both those kinds wherein you are now to serve: For as you have shewed your self a good Judge betweene party and party; so you have shewed your self a good *Administer* of the *Revenue*; Both when you were *Chief Baron* and since as *Counsellor of Estate* there in *Ireland*, where the *Counsel* as (you know) doth in great part manage and mesuage the *Revenue*.

And to both these Parts I will apply some *Admonitions*; But not vulgar or discursive; But apt for the Times and in few wordes: For they are best remembered.

First therefore above all you ought to maintain the *Kings Prerogative*; And to set do wn with your self that the *Kings Prerogative*, and the *Law*, are not two Things; But the *Kings Prerogative is Law*; And the principal Part of the *Law*: The *First-born* or *Pars Prima* of the *Law*: And therefore in conserving or maintaining that you conserve and maintain the *Law*. There is not in the *Body of Man*, one *Law* of the Head, and another of the Body, but all is one Entire *Law*.

The next Point that I would now advise you is, that you acquaint your self diligently with the *Revenue*; and also with the Ancient Records and *Presidents* of this Court. When the famous Case of the *Copper Mines*, was argued in this Court, And judged for the King; It was not upon the fine Reasons of *Witt*; as that the *Kings Prerogative* drew to it the chief in quaque specie: The *Lion* is the chief of *Beasts*, the *Eagle* the chief of *Birds*, the *Whale* the chief of *Fishes*; And so *Copper* the chief of *Minerals*; For these are but *Dalliances* of *Law*, and *Ornaments*; But it was the grave Records and *Presidents*, that grounded the Judgement of that Cause: And therefore I would have you both guide and arm your self with them against these Vapours and Fumes of *Law*, which are extracted out of Mens Inventions and Conceits.

The third Advice I will give you hath a large Extent: It is that you do your endeavour in your place so to manage the *Kings Justice* and *Revenue*, as the King may have most most Profit, and the Subject least vexation: For when there is much vexation to the Subject and little Benefit to the King, then the Exchequer is Sick: And when there is much Benefit to the King, with less Trouble and vexation to the Subject then the Exchequer is sound: as for Example; If there shall be much Racking for the Kings old Debts; and the more Fresh and late debts shall be either more negligently called upon or over easily discharged, or over Indulgently stalled: Or if the number of Informations be many; and the Kings Part or Fines for Compositions, a Trifle: Or if there be much ado, to get the King new Land, upon Concealments, and that which he hath already be not known and surveyed; Nor the woods preserved (I could put you many other

Cases

Cases this falls within that which I term the *sick Estate* of the *Exchequer*. And this is that which makes every Man ready, with their undertakings, and their Projects to disturb the ancient *Frame* of the *Exchequer*; (Then the which I am perswaded there is not a better.) This being the *Burthen* of the *Song*; That much goeth out of the *Subjects Purse*; And little commeth to the *Kings Purse*. Therefore, give them not that advantage so to say. Sure I am, that besides your own Associates the *Barons* you serve with two superiour *Great Officers*, that have Honourable and true *Ends*; and desire to serve the *King* and right the *Subject*.

There resteth, that I deliver you your *Patent*—

His Lordships Speech in the Common Pleas, to Justice Hutton when he was called to be one of the Judges of the Common Pleas.

Mr. Serjeant Hutton,

THE *Kings* most excellent Majesty being duly enformed of your Learning, Integrity, Discretion, Experience, Means, and Reputation in your Country hath thought fit not to leave you these *Talents* to be employed upon your self only, but to call you to serve *Himself* and his *People* in the place of one of his *Judges* of the *Court of Common Pleas*.

This *Court* where you are to serve is the *Local Center*, and *Heart* of the *Laws* of this *Realm*: Here the *Subject* hath his assurance by *Fines* and *Recoveries*: Here he hath his Fixed and Invariable *Remedies* by *Precipes* and *Writs* of *Right*: Here *Justice* opens not by a *By-gate* of *Priviledge*, but by the *great Gate* of the *Kings Original Writs* out of the *Chancery*. Here issues *Process* of *Uclawry*, if men will not answer *Law* in this *Center* of *Law*, they shall be cast out. And therefore it is proper for you, by all means with your *Wisdom* and *fortitude* to maintain the *Laws* of the *Realm*: Wherein nevertheless I would not have you *Head-strong* but *Heart-strong*; And to weigh and remember with your self that the 12. *Judges* of the *Realm* are as the 12 *Lions* under *Solomons Throne*; They must shew their *Stoutness* in *Elevating* and *bearing* up the *Throne*. To represent unto you the *Lines* and *Portraits* of a good *Judge*.

The 1. is, that you should draw your *Learning* out of your *Books*, not out of your *Brain*.

2. That you should mix well the *Freedom* of your own *Opinion* with the *Reverence* of the *Opinion* of your *Fellows*.

3. That you should continue the *Studying* of your *Books* and not to spend upon the old *Stock*.

4. That you should fear no *Man's Face*; and yet not turn *Stoutness* into *Bravery*.

5. That you should be truly *Impartial* and not so as Men may see *Affection* through fine *Carriage*.

6. That you should be a *Light* to *Jurors* to open their *Eyes*, but not a *Quid* to *Lead* them by the *Nose*.

7. That you affect not the *Opinion* of *Pregnancy*, and *Expedition*, by an impatient and catching *Hearing* of the *Counsellors* at the *Bar*.

A Speech to
Just. Hutton
to be one of
the Judges
of the C.
Pleas.

A Speech
in the Par-
liament, to
the Spea-
kers Excuse.

8. That your Speech be *with Gravity*, as one of the *Sages* of the *Law* and not *Talkative*, nor with impertinent *Flying out* to shew *Learning*.

9. That your *Hands* and the *Hands* of your *Hands* (I mean those about you) Be *Clean*, and *Uncorrupt* from *Gifts* from *Medling* in *Titles*, and from *Serving of Turns*; Be they of *Great* ones or *small* ones.

10. That you contain the *Jurisdiction* of the *Court* within the ancient *Meere*, *Stones*, without *Removing* the *Mark*.

11. Lastly, that you carry such a *Hand* over your *Ministers* and *Clarks*, as that they may rather be in *aw* of you, than *presume* upon you.

These and the like *Points* of the *Duty* of a *Judge*, I forbear to enlarge; For the longer I have lived with you, the shorter shall my *Speech* be to you, Knowing that you come so *Furnished* and prepared with these *Good Vertues*, as whatsoever I shall say cannot be *New* unto you. And therefore I will say no more unto you, at this time, but deliver you your *Patent*.

His Lordships Speech in the Parliament, being Lord Chancellor To the Speakers Excuse.

Mr. Serjeant Richardson,

THE King hath heard and observed your grave and decent *Speech* tending to the *Excuse* and *Disablement* of your self for the place of *Speaker*. In answer whereof, his *Majesty* hath commanded me to say to you that he doth in no sort admit of the same.

First because, if the *Parties* own *Judgment* should be admitted in case of *Elections*, touching himself, it would follow that the most confident, and over-weening persons would be received, and the most considerate Men, and those that understand themselves best, should be rejected.

Secondly, his *Majesty* doth so much rely upon the *Wisdomes* and *Discretions* of those of the *House of Commons*, that have chosen you with an unanimous consent, that his *Majesty* thinks not good to swerve from their *Opinion*, in that wherein themselves are principally interessed.

Thirdly, you have disabled your Self in so good and decent a *Fashion*, as the *Manner* of your *Speech* hath destroyed the *Matter* of it.

And therefore the King doth allow of the *Election* and admit you for *Speaker*.

To the Speakers Oration.

Mr. Speaker;

THE King hath heard and observed your eloquent discourse containing much good *Matter*, and much good *Will*: Wherein you must expect from me such an *Answer* only as is *pertinent* to the *Occasion* and compassed by due respect of *Time*.

I may divide that which you have said into four parts.

The first was a *Commendation*, or *Laudative* of *Monarchy*.

The second was indeed a large *Field*, Containing a thankfull *Acknowledgement* of his *Majesties* *Benefits*, *Attributes*, and *Acts* of *Government*.

The

The third was some *Passages* touching the *Institution*, and *Use* of *Parliaments*.

The fourth and last was certain *Petitions* to his *Majesty* on the behalf of the *House* and your self.

For your *Commendation* of *Monarchy* and preferring it before other *Estates*, it needs no an *Answer*. The *Schools* may dispute it; But *Time* hath tryed it; And we find it to be the *Best*. Other *States*, have curious *Frames* soon put of order; And they that are made fit to last are not commonly fit to grow or spread: And contrariwise those that are made fit to spread and enlarge are not fit to continue and endure. But *Monarchy* is like a *Work of Nature*, well composed both to grow, and to continue. From this I pass.

For the second part of your *Speech* wherein you did with no less *Truth* than affection, acknowledge the great *Felicity* which we enjoy by his *Majesties* *Reign* and *Government*; His *Majesty* hath commanded me to say unto you: That *Praises* and *Thanksgivings*, he knoweth to be the true *Ob-lations* of *Hearty* and *loving Affections*: But that which you offer him he will joyn with you, in offering it up to *God*, who is the *Author* of all *Good*; who knoweth also the *uprightness* of his *Heart*; who he hopeth, will continue and encrease his *Blessings* both upon *Himself* and his *Posterity* and likewise upon his *Kingdoms* and the *Generations* of them.

But I for my part must say unto you as the *Grecian Orator* said long since in the like case: *Solus dignus harum rerum Laudator Tempus*. *Time* is the onely *Commender* and *Encomiastique*, worthy of his *Majesty* and his *Government*.

Why *Time*? For that in the *Revolution* of so many years and *Ages* as have passed over this *Kingdom*; Notwithstanding many *Noble* and excellent *Effects* were never produced untill his *Majesties* dayes; But have been reserved as proper and peculiar unto them.

And because this is no part of a *Panegyrick*, but merely story and that they be so many *Articles* of *Honour* fit to be recorded, I will onely mention them; extracting part of them out of that you *Mr. Speaker* have said. They be, in *Number Eight*.

1. His *Majesty* is the first (as you noted it well) that hath laid *Lapis Angularis* the *Corner Stone* of these two mighty *Kingdoms* of *England* and *Scotland*, and taken away the *Wall* of *Separation*: Whereby his *Majesty* is become the *Monarch* of the most puissant and *Military Nations* of the *World* and if one of the *Ancient* wise *Men*, was not deceived *Iron* commands *Gold*.

Secondly the *Plantation* and *Reduction* to *Civility* of *Ireland* (the second *Island* of the *Ocean Atlantique*) did by *Gods* *Providence* wait for his *Majesties* *Times*: Being a work resembling indeed the *Workes* of the ancient *Heroes*: No new piece of that kind in *Modern Times*.

Thirdly this *Kingdom* now first in his *Majesties* *Times* hath gotten a *Lot* or *Portion* in the *New World* by the *Plantation* of *Virginia* and the *Summer Islands*. And certainly it is with the *Kindomes* on *Earth*, as it is in the *Kingdom* of *Heaven*. Sometimes a *Grain* of *Mustardseed* proves a great *Tree*. Who can tell?

Fourthly, his *Majesty* hath made that *Truth* which was before *Titulary*, in that he hath verified the *Stile* of *Defender* of the *Faith*; Wherein his *Majesties* *Pen* hath been so happy as though the *Deaf Adder* will not hear, yet he is charmed that he doth not *Hiss*. I mean in the graver sort of those that have answered his *Majesties* *Writings*.

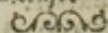
Fifthly

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6.

Fifthly, it is most certain that since the *Conquest*, ye cannot assign twenty years (which is the Time that his *Majesties* Reign, now drawes fast upon) of Inward and outward Peace. Inasmuch as the time of *Queen Elizabeth* of happy memory, and allwayes magnified for a peaceably Reign, was nevertheless interrupted the first Twenty years, with a *Rebellion* in England. And both first and last twenty years with *Rebellions* in Ireland. And yet I know, that his *Majesty* will make good both his Words, as well that of *Nemo me laessest impunè*, as the other of *Beati pacifici*.

Sixthly, that true and primitive Office of Kings which is to sit in the Gate and to judge the people was never performed in like perfection by any of the *Kings Progenitors*: Whereby his *Majesty* hath shewed himself to be *Lex loquens*, and to sit upon the Throne not as a dumb *statua*, but as a *Speaking Oracle*.

7.

Seventhly, for his *Majesties* mercy (as you noted it well) shew me a time wherein a *King* of this Realm hath Reigned almost 20. years (as I said) in his *White Robes* without the Blood of any Peer of this *Kingdome*: The *Axe* turned once or twice towards a *Peere* but never strook.

8.

Lastly the *Flourishing* of Arts and Sciences recreated by his *Majesties* Countenance and bounty, was never in that Height especially that *Art* of *Arts Divinity*; For that we may truly to Gods great glory confess that since the *Primitive times*, there were never so many *Stars* (for so the *Scripture* calleth them) in that *Firmament*.

These things Mr. *Speaker*, I have partly chosen out of your Heap, and are so far from being vulgar, as they are in effect singular and proper to his *Majesty* and his Times. So that I have made good as I take it my first Assertion; That the only worthy Commander of his *Majesty* is Time: Which hath so set off his *Majesties* merits by the shadowes of Comparison as it passeth the Lustre or Commendation of Words.

How then shall I conclude? Shall I say, *O Fortunatus nimium sua si bona norint*: No For I see ye are happy in enjoying them, and happy again in knowing them. But I will conclude this part with that saying, turned to the right hand; *Si gratum dixeris opinia dixeris*. Your gratitude contains in a word all that I can say to you touching this *Parliament*.

3. Part.

Touching the third Point of your Speech concerning *Parliaments* I shall need to say little: For there was never that Honour done to the Institution of *Parliament*, that his *Majesty* did it in his last Speech making it in effect the perfection of *Monarchy*: For that although *Monarchy* was the more ancient, and be independant, yet by the advice and assistance of *Parliament* it is the stronger and the surer built.

And therefore I shall say no more of this point, but as you Mr. *Speaker* did well note, that when the *King* sits in *Parliament* and his *Prelates Peeres and Commons* attend him, he is in the Exaltation of his *Orb*: So I wish things may be so carried, that he may be then in greatest Serenity and Benignity of Aspect; shining upon his *People* both in Glory and Grace. Now you know well that the shining of the sun fair upon the Ground, whereby all things exhilarate, and do fructifie, is either hindered by Clouds above; or Mists below; perhaps by Brambles and Briars, that grow upon the Ground it self. All which I hope at this time will be dispelled and removed.

4. Part.

I come now to the last part of your Speech, concerning the *Petitions*: But before I deliver his *Majesties* Answer respectively in particular, I am to speak unto you, some few words in generall: Wherein in effect

I shall but glean; His Majesty having so excellently and fully expressed himself.

For that that can be spoken pertinently must be either touching the Subject, or matter of Parliament Business; Or of the manner and Carriage of the same Or lastly of the Time and the Husvanding and Marshalling of Time.

For the matters to be handled in Parliament they are either of Church, State, Lawes or Grievances.

For the First two, concerning Church or State, ye have heard the King himself speak, and as the Scripture saith, *Who is he that in such things shall come after the King?* For the other two I shall say somewhat, but very shortly.

For Lawes, they are Things proper for your own Element: And therefore therein, ye are rather to lead than to be led. Only it is not amiss to put you in mind of two things: The one that you do not multiply or accumulate Lawes, more than ye need. There is a Wise and Learned Civilian that applies the Curse of the Prophet, *Pluet super eos Laqueos, To multiplicity of Lawes*; For they do but ensnare and entangle the People. I wish rather, that ye should either revive good Lawes that are fallen and discontinued, or Provide against the slack execution of Lawes, which are already in Force; or meet with the subtile Evasions from Lawes which Time and Craft hath determined, than to make *Novas Creaturas Legum* Lawes upon a new mould.

The other Point touching Lawes is, That ye busie not your selves too much in private Bills, except it be in Cases wherein the help and Arm of ordinary Justice is too short.

For Grievances, his Majesty hath with great Grace and Benignity opened himself. Nevertheless the Limitations, which may make up your Grievances not to beat the Air only, but to sort to a desired effect, are principally two. The one (to use his Majesties term) that ye do not Hunt after Grievances, Such as may seem rather to be stirred here when ye are met, then to have sprung from the desires of the Country: Ye are to represent the People; ye are not to personate them.

The other, that ye do not heap up Grievances as if Numbers should make a shew where the Weight is small; Or as if all things amiss (like *Platoes Commonwealth*) should be remedied at once. It is certain that the best Governments yea, and the best of men are like the best precious Stones, wherein every flaw or Isicle or Grain are seen and noted more than in those that are generally foul and corrupted.

Therefore contain your selves within that Moderation as may appear to bend rather to the Effectual Ease of the People, then to a Discursive Envy, or scandal upon the State.

As for the manner of Carriage of Parliament Business ye must know that ye deal with a King that hath been longer King than any of you have been Parliament Men; And a King that is no less sensible of Formes than of matter; And is as far from induring Diminution of Majesty as from regarding Flattery or Vain-glory; And a King that understandeth as well the Pulse of the Hearts of People as his own Orb. And therefore, both let your grievances have a decent and Reverent Form and Stile; And (to use the words of former Parliaments) let them be *Tanquam Gemitus Columbe*, without Pique or Harshness; And on the other side, in that ye do for the King, Let it have a Mark, of Unity Alacrity and Affection; which will be of this Force; That whatsoever ye do in substance, will be doubled in Reputation abroad, as in a Crystal Glasse.

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For the time if ever *Parliament* was to be measured by the Hour-glass it is this; in regard of the instant occasion flying away irrecoverably. Therefore let your Speeches in the *House* be the Speeches of *Counsellors*, and not of *Oratours*: Let your *Committees* tend to dispatch, not to dispute and so marshall the *Times* as the publique Business, especially the proper Business of the *Parliament* be put first, and private *Bills* be put last, as time shall give leave, or within the spaces of the publique.

For the four *Petitions* his Majesty is pleased to grant them all as liberally as the ancient and true Custom of *Parliament* doth warrant. And with the cautions that have ever gone with them; that is to say, that the privilege be not used for defrauding of Creditors and Defeating of ordinary Justice: That *Liberty of Speech* turn not into License but be joynted with that Gravity and Discretion, as may tast of Duty and Love to your *Sovereign*, Reverence to your own *Assembly*, and Respect to the matters ye handle. That your *Accesses* be at such fit times, as may stand best with his *Majesties* pleasure and Occasions. That *mistakings*, and *misunderstandings* be rather avoided and prevented, (as much as may be) then salved or cleared.

The other part touching *Lawes* is, That ye have not your selves too much in private Bills, except it be in Cases wherein the help and Aid of ordinary Justice is too little.

For the *Money* part, which great Care and Diligence should be used, I have already hinted. Touching the *Liaments*, which may make up your *Prayers*, do not to heat the Air only, but to sort to a desired effect, are principally two. The one (to the *Majesties* term) that ye do not Want after *Graces*, such as may seem rather to be stirred here when ye are met, than to investigate from the duties of the *Country*: Ye are to represent the People, ye are not to exhort them.

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As for the way of Carriage of *Parliament* business ye must know that ye deal with a King that hath been longer King than any of you have been *Parliament Men*: And a King that is no less sensible of *Formes* than of *Matters*: And as far from indulging *Diminution of Manners* as from regarding *Plurality of Offices*: And a King that understandeth as well the *Will* of the *People* as his own *Will*. And therefore both let your *Gravities* have Hearts of people as his own *Will*. And (to the words of former *Parliament*) let them be *Parliament* *Gravities*, without *Pique* or *Humours*: And on the other side, in that ye do for the King, let it have a *Will* of *Parliament*, which will be of this Force: That whatsoever ye do in instance, will be doubled in *Reputation* abroad, as in a *Crystal*.

This is the way which your selves within that *Modestie* as may appear to the *People*, and to the *King*, that is the *Way* of *Parliament*.

As for the way of Carriage of *Parliament* business ye must know that ye deal with a King that hath been longer King than any of you have been *Parliament Men*: And a King that is no less sensible of *Formes* than of *Matters*: And as far from indulging *Diminution of Manners* as from regarding *Plurality of Offices*: And a King that understandeth as well the *Will* of the *People* as his own *Will*. And therefore both let your *Gravities* have Hearts of people as his own *Will*. And (to the words of former *Parliament*) let them be *Parliament* *Gravities*, without *Pique* or *Humours*: And on the other side, in that ye do for the King, let it have a *Will* of *Parliament*, which will be of this Force: That whatsoever ye do in instance, will be doubled in *Reputation* abroad, as in a *Crystal*.

Observations upon a Libel, published, in Anno. 1592.



CERTAIN
OBSERVATIONS
UPON A
LIBELL,

Published this present year, 1592.

INTITULED A
DECLARATION
Of the TRUE CAUSES,
OF THE
GREAT TROUBLES,
Presupposed to be intended against the
REALM of ENGLAND.

~~~~~I were Just and Honourable for *Princes* being in Warrs  
~~~~~together, that howsoever they prosecute their Quarrels  
~~~~~and Debates by Arms and Acts of Hostility, yea though the  
~~~~~Warrs be such as they pretend the utter Ruine and Over-  
~~~~~throw of the Forces and States one of another; yet they  
~~~~~so limit their Passions as they preserve two things Sacred  
~~~~~and Inviolable; That is the Life and good Name each of o-  
~~~~~ther. For the Warrs are no Massacres and Confusions; But they are the high-  
~~~~~est Trials of Right; when *Princes* and States that acknowledge no Superiour  
~~~~~upon Earth, shall put themselves upon the Justice of God for the Deciding  
~~~~~of their Controversies, by such Success, as it shall please him to give on  
~~~~~either side. And as in the Process of particular Pleas, between private men,  
~~~~~all things ought to be ordered by the Rules of Civil Lawes: So in the Pro-  
~~~~~ceedings of the Warr, nothing ought to be done against the Law of Na-  
~~~~~tions, or the Law of Honour; Which Lawes have ever pronounced those  
~~~~~two Sorts of Men; The one Conspirators against the Persons of *Princes*; The  
~~~~~other Libellers against their good Fame, to be such Enemies of common So-  
~~~~~ciety,


Observations upon a Libel, published, in Anno 1592

ciety, as are not to be cherished, no not by *Enemies*. For in the Examples of Times, which were less corrupted, we find that when in the greatest Heats, and Extremities of Wars, there have been made Offers of *Murderous and Traiterous Attempts* against the Person of a Prince to the *Enemy*, they have been not only *Rejected*, but also *Revealed*. And in like manner, when *Dishonourable mention* hath been made of a Prince, before an *Enemy Prince* by some that have thought therein to please his Humour, he hath shewed himself contrarywise, utterly distasted therewith, and been ready to contest, for the *Honour* of an *Enemy*.

According to which Noble and Magnanimous kind of Proceeding, it will be found, that in the whole course of her *Majesties* Proceeding with the *King of Spain*, since the Amity interrupted; There was never any project by her *Majesty* or any of her *Ministers* either moved or assented unto for the taking away of the *Life* of the said *King*: Neither hath there been any *Declaration* or *Writing of Estate*; No nor *Book allowed*, wherein his *Honour* hath been touched or taxed, otherwise than for his *Ambition*; A point which is necessarily interlaced with her *Majesties* own Justification. So that no Man needeth to doubt, but that those Wars are grounded upon her *Majesties* part upon Just and Honourable Causes which have so Just and Honourable a prosecution; Considering it is a much harder Matter, when a Prince is entered into Wars to hold respect then and not to be transported with *Passion*, than to make moderate and just *Resolutions* in the *Beginnings*.

But now if a Man look on the other part it will appear that rather, as it is to be thought by the Solicitation of *Traiterous Subjects* (which is the onely Poyson and Corruption of all Honourable War between Forrainers;) or by the Presumption of his *Agents* and *Ministers* than by the proper Inclination of that *King*, there hath been, if not plotted and practised, yet at least comforted, Conspiracies against her *Majesties* Sacred Person which nevertheless *Gods Goodness* hath used and turned to shew by such miraculous Discoveries into how near and precious Care and Custody it hath pleased him to receive her *Majesties* Life and Preservation. But in the other Point it is strange what a number of *Libellous* and *Defamatory Books* and *Writings*, and in what Variety with what Art and cunning handled have been allowed to pass through the World, in all *Languages* against her *Majesty* and her *Government*; Sometimes pretending the *Gravity* and *Authority* of *Church Stories*, to move *Belief*; Sometimes formed into *Remonstrances* and *Adversifements of Estate* to move *Regard*, sometimes presented as it were in *Tragedies* of the Persecutions of *Catholicks* to move *Pity*; Sometimes contrived into pleasant *Pasquils* and *Satyrs* to move *Sport*: So as there is no shape, whereinto these Fellows have not transformed themselves; Nor no humor nor affection in the mind of Man to which they have not applied themselves; Thereby to insinuate their Untruths and abuses to the World. And indeed let a Man look into them and he shall find them the only Triumphant Lies that ever were confuted by *Circumstances of Time* and *Place*: Confuted by contrariety in themselves confuted by the witnesses of infinite persons that live yet and have had particular knowledge of the Matters: But yet avouched with such *Asseveration*, as if either they were fallen into that strange Disease of the Mind, which a wise Writer describeth in these words: *Fingunt simul creduntque*; Or as if they had received it as a principal Precept and Ordinance of their *Seminaries*: *Audacter calumniantur semper aliquid habere*: Or as if they were of the Race which in old time were wont to help themselves

wit.

with Miraculous Lies, but when the Cause of this is entred into, Namely, that there passeth over out of this *hram*, a number of Eager and Unquiet *Schollers* whom their, own Turbulent, and Humourous Nature, presseth out to seek their Adventures abroad; And that on the other side, they are nourished, rather in Listening after News and Intelligences, and in Whisperings, then in any Commendable Learning; And after a time, when either their Necessitous Estate, or their Ambitious Apperites importune them, they fall on devising how to do some acceptable service, to that side which maintaineth them. So as ever when their Credit waxeth Cold, with Foreign Princes, Or that their Pensions, are ill paid Or some Preferment is in sight, at which they leek Straitwaies, out commeth a Libel, pretending thereby to keep in life the party, which within the Realme is contrary to the State, (Wherein, they are as wise as he, that thinketh to kindle a Fire, by blowing the dead Ashes;) When I say, a man looketh into the Cause, and Ground of this plentiful yield of Libels he will cease to marvel, considering the Concurrence which is in the Nature of the seed, as in the travel of Tilling, and dressing; yea, and fitness, of the Season, for the Bringing up of those infectious weeds.

But, to verifie the Saying of our Saviour, *Non est Discipulus super Magistrum*. As they have sought to deprave her Majesties Government, in her self, So, have they not forgotten, to do the same, in her principal Servants, and Counsellours; Thinking belike, that as the Immediate Invektives, against her Majesty, do best satisfie the Malice, of the Forreiner; So the slander, and Calumniation of her principal Counsellours, agreed best with the Humours of some Malecontents within the Realme; Imagining also, that it was like, they would be more scattered here, and freelier, dispersed; And also should be less odious, to those Forreigners, which were not meere partial, and passionate; who have, for the most part, in detestation, the Traiterous Libellings of Subjects, directly against their Natural Prince.

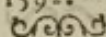
Amongst the Rest in this kind, there hath been published this present year, of 1592. a Libel, that giveth place to none of the Rest in Malice and untruths; Though inferiour to most of them, in penning, and Stile. The Author having chosen the vain of a Lucianist; And yet being a Counterfeit, even in that kind. This Libel is intituled; *A Declaration of the true causes of the great troubles, presupposed to be intended against the Realme of England.* And hath a Semblance, as if it were bent, against the Doings of her Majesties Ancient, and Worthy Councillor, the Lord Burley; Whose Carefulness and Paines, her Majesty hath used, in her Counsels and Actions, of this Realme for these 34. years space, in all dangerous Times; And amidst many, and mighty practises; And with such success, as our Eemies are put still, to their Paper-shot, of such Libels, as these: The memory, of whom, will remain, in this Land, when all these Libels, shall be extinct, and forgotten; According to the *Scripture; memoria iusti cum laudibus, at Impiorum Nomen putrescet.* But it is more then evident, by the parts of the same Book, that the Authors Malice, was to her Majesty, and her Government; As may especially appear in this, That he charged not his Lordship with any particular Actions of his private Life; (Such power had Truth;) whereas, the Libels made against other Counsellors have, principally, insisted upon that part: But hath only wrested, and detorted such Actions of State, as in Times of his Service, have been Managed; And depraving them, hath ascribed, and imputed to him, the Effects that have followed; Indeed, to the Good of the Realm, and the Honour of her Majesty; Though, sometimes, to the Provoking of the Malice, but Abridg-

Observations upon a Libel, published, In Anno.

1592.

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Observations upon a Libell, published in Anno. 1592.



ing of the Power, and Means, of Desperate, and Incorrigible Subjects. All which Slanders, as his Lordship might justly despise; Both for their Manifest Untruths, and for the Baseness, and Obscurity, of the Author: So nevertheless, according to the Moderation, which his Lordship useth, in all Things; Never claiming the Priviledge, of his Authority, when it is Question, of satisfying the World; He hath been content, and that they be not passed over, altogether, in Silence: Whereupon, I have, in particular Duty to his Lordship, amongst others that do Honour, and Love, his Lordship; And that have diligently, observed his Actions: And in Zeal of Truth, collected, upon the Reading, of the said Libel, certain Observations; Not in Form, of a just Answer, lest, I should fall into the Error, whereof Salomon, speaketh thus; Answer not a Fool, in his own kind, lest thou also be like him; But only, to discover the Malice, and to reprove, and convict the Untruths, thereof.

The Points, that I have observed, upon the Reading, of this Libel, are these following.

1. Of the Scope, or Drift, of the Libeller.
2. Of the present Estate, of this Realm, of England; whether it may be truly avouched, to be Prosperous, or Afflicted.
3. Of the Proceedings, against the pretended Catholiques, whether they have been Violent; or moderate, and necessary.
4. Of the Disturbance, of the Quiet, of Christendom; And to what Causes, it may be justly imputed.
5. Of the Cunning, of the Libeller, in Palliation, of his Malicious Innuence, against her Majesty, and the State, with pretence, of taxing only, the Actions, of the Lord Burleigh.
6. Certain true General Notes, upon the Actions, of the Lord Burleigh.
7. Of diverse particular Untruths, and Abuses, dispersed through the Libel.
8. Of the Height, of Impudency, that these Men, are grown unto, in Publishing, and Avouching, Untruths; with a particular Recital, of some of them, for an Assay.

1. Of the Scope, or Drift, of the Libeller.

It is good Advice, in dealing, with Cautelous, and Malicious, persons; Whose Speech, is ever at distance, with their Meanings; *Non quid dixerint, sed quod spectarent, videndum*: A Man, is not to regard, what they affirm, or what they hold; But, what they would convey, under the pretended Discovery, and what turn they would serve. It soundeth strangely in the Eares, of an English Man; That the Miseries of the present State of England, exceed them of former times, whatsoever. One would straight-way think with himself; Doth this Man believe what he saith? Or not believing it, doth he think it possible, to make us believe it? Surely, in my conceit, neither of both; But his End, no doubt, was, to round the Pope, and the King of Spain, in the Eare, by seeming, to tell a tale, to the People of England. For such Book, are ever wont, to be translated, into divers Languages: And, no doubt, the Man, was not so simple, as to think, he could perswade, the People of England, the Contrary, of what they tast, and feel. But he thought he might better abuse, the States, abroad, if he directed his Speech to them, who could best convict him, and disprove

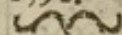
disprove him if he said untrue: So that, as *Livy* saith, in the like case; *Aetolos, magis, coram quibus verba facerent, quam ad quos, pensi habere: That the Aetolians, in their Tale, did more respect those, which did over-hear them, then those, to whom they directed their Speech:* So, in this matter, this Fellow, cared not, to be counted a *Lier*, by all *English*, upon Price, of Deceiving of *Spain* and *Italy*, For it must be understood, that it hath been, the generall Practise, of this kind of Men, many years of the one side, to abuse, the forrain Estate, by making them believe, that all is out of Joynt, and Ruinous, here in *England*. And that, there is great part ready to joyn with the *Intrader*: And, on the other side, to make *Evil Subjects*, of *England*, believe, of great Preparations abroad, and in great readines, to be put in Act, And so to deceive, on both sides: And this, I take to be, his *Principal Drift*. So again, it is an extravagant, and incredible Conceit, to Imagine, that all the *Conclusions*, and *Actions*, of Estate, which have passed, during her *Majesties Raigh*, should be ascribed, to one Counsellor alone; And to such an one, as was never noted, for an *Imperious*, or *Overruling*, Man: And to say, that though, He carried them, not by Violence, yet he compassed, them by Devises; There is no Man of *Judgement*, that looketh into the Nature of these Times, but will easily descry, that the *Wits*, of these Dayes, are too much refined, for any Man, to walk invisible: Or to make all the World his Instruments; and therefore, no not in this point, assuredly the *Libeller* spake as he thought; But this he foresaw, that the *Imputation* of *Cunning* doth breed *Suspicion*; And the *Imputation* of *Greatness* and *Sway* doth breed *Envy*, And therefore, finding where he was most wrong, and by whose policy and Experience, their plots were most crossed, the mark he set out at was to see whether he could heave at his *Lordships Authority*, by making him suspected to the *Queen*, or generally odious to the *Realme*: Knowing well enough, for the one point, that there are not only *Jealousies*, but certain *Revolutions* in *Princes minds*: So that it is a rare vertue in the *Rarest Princes*, to continue constant to the End, in their Favours and Employments. And knowing for the other point, that *Envy* ever accompanieth *Greatness*, though never so well deserved: And that his *Lordship* hath alwaies marched a Round and a Real Course in service: And as he hath not moved *Envy* by *Pomp* and *Ostentation*; so hath he never extinguished it by any *Popular*, or *Insinulative Carriage* of himself: And this no doubt was his *Second Drift*,

A Third *Drift*, was to assay if he could supplant and weaken, (by this violent kind of *Libelling*, and turning the whole *Imputation*, upon his *Lordship*,) his Resolution and Courage; And to make him proceed more cautiously, and not so thoroughly and strongly against them; Knowing his *Lordship* to be a *Politick Man*, and one, that hath, a great Stake to lose.

Lastly, least while I discover *Cunning*, and *Art*, of this Fellow, I should make him wiser then he was, I think a great part of this Book was *Passion*; *Difficile est tacere, cum dolet*. The *Humours* of these Men being of themselves eager and Fierce, have by the Abort, and Blasting of their Hopes, been blinded and erring. And surely this Book, is of all that Sort, that have been written of the meanest work-man-ship; Being fraughted with sundry base Scoffs, and cold Amplifications, and other Characters of *Despise*; But void of all Judgment or Ornament.

Observations upon a Libel, published, In Anno.

1592.



Observations upon a Libell, published In Anno. 1592.

2. Of the present Estate of this Realm of England whether it may be truly avouched to be prosperous, or Afflicted.

THE Benefits of Almighty God upon this Land, since the time that in his singular providence he led as it were by the hand and placed in the Kingdom, his Servant our Queen Elizabeth, are such as not in Boasting or in Confidence of our selves, but in praise of his Holy Name are worthy to be both considered and confessed; yea and registred in perpetual Memory: Notwithstanding, I mean not after the manner of a Panegyrick to Extol the present Time. It shall suffice onely, that those Men, that through the Gall and Bitterness of their own Heart have lost their Taste, and Judgement: And would deprive God of his Glory and us of our senses in affirming our Condition to be Miserable; and full of Tokens of the Wrath and Indignation of God, be reproved.

If then it be true, that *Nemo est Miser, aut Felix nisi comparatus*; Whether we shall (keeping our selves within the compass of our own Island) look into the Memories of Times past; Or at this present time, take a view of other States abroad in Europe: We shall find that we need not give place to the Happiness either of Ancestours or Neighbours. For if a Man weigh well all the Parts of State and Religion, Lawes, Administration of Justice, Policy of Government, Manners, Civility, Learning and Liberal Sciences, Industry and Manual Arts, Arms and Provisions of Wars for Sea and Land, Treasure, Traffique, improvement of the Soyl, P population, Honour and Reputation, It will appear that taking one part with another, the State of this Nation, was never more Flourishing.

It is easie to call to Remembrance out of Histories the Kings of England which have in more ancient times, enjoyed greatest Happiness; Besides her Majesties Father and Grandfather, that raigned in rare Felicity as is fresh in Memory. They have been K. Henry 1. K. Hen. 2. K. Hen. 3. K. Edw. the 1. K. Edw. the 3. K. Henry the 5. All which have been Princes of Royal vertue, Great Felicity and Famous Memory. But it may be truly affirmed without derogation to any of these worthy Princes, that whatsoever we find in Libells there is not to be found in the English Chronicles, a King that hath in all respect laid together, raigned with such felicity as her Majesty hath done. For as for the first 3. Henries; The first came in too soon after a Conquest: The Second too soon after an Usurpation; And the Third too soon after a League, or Barons War; To raign with Security and Contentation. King H. 1. also had unnatural Wars with his Brother Robert, wherein much Nobility was consumed: He had therewithal tedious Wars in Wales; And was not without some other Seditions and Troubles; As namely the great Contestation, of his Prelates. King Henry 2. his Happiness was much deformed by the Revolt of his son Henry after he had associated him, and of his other Sonns. King Hen. 3. besides his continual Wars in Wales was after 44. years raign unquieted, with Intricate Commotions of his Barons; As may appear by the Mad Parliament, held at Oxford, and the Acts thereupon ensuing. His Son, King Edward 1. had a more flourishing Time then any of the other; came to

to his Kingdom at ripe years, and with great Reputation, after his voyage into the Holy Land, and was much loved and obeyed, contrived his Wars with great Judgement: First having reclaimed Wales to a settled Allegiance: And being upon the point of uniting Scotland. But yet I suppose it was more honour for her Majesty to have so important a piece of Scotland in her hand; And the same with such Justice to render up, than it was for that worthy King to have advanced in such Forwardness the Conquest of that Nation. And for King Edward 3. his Reign was visited with much Sicknesse and Mortality, so as they reckoned in his dayes three several Mortalities: One in the 22. year, another in the 35. year, and the last in the 43. year of his Reign: and being otherwise victorious and in Prosperity, was by that only Cross more afflicted, than he was by the other prosperities comforted. Besides, he entred hardly, and again, according to the Verse; *Cedebant ultima primis*: His Latter times were not so prosperous. And for King Henry 5. as his success was wonderfull, so he wanted continuance; Being extinguished after 10. years Reign in the prime of his Fortunes.

Now for her Majesty we will first speak of the Blessing of Continuance as that which wanted in the happiest of these Kings: And is not only a great favour of God unto the Prince, but also a singular Benefit unto the People; For that Sentence of the Scripture: *Misera Natto cum multi sunt principes ejus*; is interpreted not only to extend to Divisions and Distractions in Government but also to frequent Changes in Succession: Considering that the Change of a Prince bringeth in many Charges, which are *Hass* and Unpleasant to a great part of the Subjects. It appeareth then that of the Line of Five hundred and fourscore years, and more containing the Number of 22. Kings, God hath already prolonged her Majesties Raigu to exceed sixteen of the said two and twenty: And by the end of this present year, (which God prosper) she shall attain to be equal with two more: During which time there have deceased four Emperors, as many French Kings; Twice so many Bishops of Rome. Yea every State in *Chriſtendome* except Spain, have received sundry successions: And for the King of Spain he is waxed so infirm, and thereby so retired, as the Report of his Death serveth for every years News: whereas her Majesty (thanks be given to God) being nothing decayed in Vigour of Health, and strength, was never more able to supply and sustain the weight of her Affairs; And is as far as standeth with the dignity of her Majesties Royal State continually to be seen to the great comfort and hearty Ease of her people.

Secondly we will mention the Blessing of Health: I mean generally of the people, which was wanting in the Reign of another of these Kings: which else deserved to have the second place in happiness which is one of the great Favours of God towards any Nation. For as there be three Scourges of God War, Famine, and Pestilence; so are there three Benedictions Peace, Plenty, and Health. Whereas therefore this Realm hath been visited in times past with sundry kinds of Mortalities (as Pestilences, *Serats*, and other Contagious Diseases) it is so, that in her Majesties Times being of the continuance aforesaid, there was only towards the beginning of her Reign some Sicknesse, between June and February, in this City; but not dispersed into any other part of the Realm, as was noted; which we call yet the great Plague; Because that though it was nothing so grievous and so sweeping as it hath been, sundry times heretofore; yet it was great in respect of the Health, which hath followed since: Which

Observations upon a Libel, published in

Anno 1592

Wm. B. 1592

Continuance

2. Health.

Observations upon a
Libell published in
Anno. 1592.

3. Peace.

hath been such (especially of late years) as we began to dispute and move Questions of the Causes, whereunto it should be ascribed; untill such time as it pleased God to teach us that we ought to ascribe it only to his Mercy; By touching us a little this present year; but with a very gentle hand; And such as it hath pleased him since to remove. But certain it is for so many years together, notwithstanding the great Pestering of People in Houses; The great Multitude of Strangers, and the sundry voyages by Seas; (All which have been noted, to be Causes of Peccance) The Health Universal of the People was never so good.

The third Blessing is that which all the Politick and Fortunate Kings; before recited have wanted; That is Peace: For there was never Forreiner since her Majesties Reign by Invasion or Incursion of Moment, that took any footing within the Realm of England. One Rebellion there hath been only, but such an one as was repressed within the space of seven weeks, and did not wast the Realm so much as by the Destruction of Depopulation of one poor Town. And for Wars abroad taking in those of Leeth those of New-haven, the second Expedition into Scotland, the Wars of Spain, which I reckon from the year 86, or 87. (before which time neither had the King of Spain withdrawn his Embassadors here residing; neither had her Majesty received into protection the united Provinces of the Low Countries) And the Aid of France; They have not occupied in time, a third part of her Majesties Reign; Nor consumed past two of any Noble House; whereof France took one, and Flanders another: And very few besides of Quality or appearance. They have scarce mowed down the overcharge of the People within the Realm. It is therefore true that the Kings aforesaid and others her Majesties Progenitors, have been Victorious in their Wars; And have made many Famous and Memorable Voyages, and Expeditions into sundry parts; And that her Majesty contrariwise, from the beginning put on a firm Resolution to content her self within those limits of her Dominions, which she received; And to entertain Peace with her Neighbour Princes which Resolution she hath ever since (notwithstanding, she hath had Rare Opportunities, just Claims and pretences and great and mighty Means) sought to continue. But if this be objected to be the less Honourable Fortune; I answer that ever amongst the Heathen who held not the Expence of Blood so precious as Christians ought to do; The peaceable Government of Augustus Caesar was ever as highly esteemed as the Victories of Julius his Uncle; and that the Name of Pater Patrie was ever as Honourable as that of propagator Imperij. And this I add further, that during this inward Peace of so many years in the Actions of War, before mentioned, which her Majesty either in her own Defence or in Just and Honourable Aids, hath undertaken; The Service hath been such as hath carried no Note of a People, whose Militia were degenerated through Long Peace; But hath every way answered the ancient Reputation of the English Arms.

4. Plenty and Wealth.

The fourth Blessing is Plenty and Abundance: And first for Grain, and all Victuals, there cannot be more evident Proof of the Plenty then this. That whereas England was wont to be fed by other Countries from the East, it sufficeth now to feed other Countries. So as we do many times transport and serve sundry Forrain Countries; And yet there was never the like Multitude of People to eat within the Realm. Another evident Proof thereof may be, that the good yields of Corn which have been together with some

some *Toleration* of *Vent* hath of late time invited and enticed Men, to break up more *Ground*, and to convert it to *Village*, then all the *Penal Laws* for that purpose made and enacted, could ever by compulsion effect. A third proof may be that the *Prices* of *Grain* and *Vittuals*, were never of late years, more *Reasonable*. Now for Arguments of the great *wealth* in all other Respects, let the *Points* following be considered.

There was never the like Number of fair and Stately *Houses* as have been built and set up from the *Ground* since her *Majesties* *Reign*; Insomuch that there have been reckoned in one *Shire*, that is not great, to the Number of 33. Which have been all new built within that time: And whereof the Meanest, was never built for two thousand pounds.

There were never the like pleasures of goodly *Gardens*, and *Orchards*, *Walks*, *Pools*, and *Parks*, as do adorn almost every *Mansion House*.

There was never the like Number of Bautiful and Costly *Tombs* and *Monuments*, which are erected in sundry *Churches*, in *Honourable* *Memorie* of the *Dead*.

There was never the like *Quantity* of *Plate*, *Jewels*, *Sumptuous* *Moveables*, and *Stuff*, as is now within the *Realm*.

There was never the like *Quantity* of *Wast* and *unprofitable* *Ground*, *Inned*, *Reclaimed* and *Improved*.

There was never the like *Husbanding* of all sorts of *Grounds* by *Fencing*, *Manuring*, and all kinds of good *Husbandary*.

The *Towns* were never better built nor peopled; Nor the principal *Fairs* and *Markets*, never better customed nor frequented.

The *Commodities* and *Ease* of *Rivers* cut by hand, and brought into a new *Channel*; Of *Peers*, that have been built; Of *Waters* that have been forced, and brought against the *Ground*, were never so many.

There was never so many excellent *Artificers*, nor so many new *Handy-Crafts*, used and exercised; Nor new *Commodities* made within the *Realm*, *Sugar*, *Paper*, *Glass*, *Copper*, divers *Silks* and the like.

There was never such Compleat and Honourable *Provision* of *Horse*; *Armour*, *weapons*, *Ornanace* of the *War*.

The Fifth *Blessing* hath been the great *Population* and *Multitude* of *Families*, encreased within her *Majesties* *dayes*: For which Point, I refer my Self to the *Proclamations* of *Restraint* of *Building* in *London*; The *Inhibition*, of *Inmates*, of sundry *Cities*, The *Restraint* of *Cottages* by *Act* of *Parliament*; And sundry other *Tokens* of *Records*, of the *Surcharge* of *people*.

Besides these parts of a *Government*, blessed from *God*, wherein the *Condition* of the *People* hath been more happy in her *Majesties* *Times*, then in the *Times* of *Progenitors*; There are certain *Singularities*, and *Particulars*, of her *Majesties* *Reign*, wherein I do not say, that we have enjoyed them in a more ample *Degree* and *Proportion*, then in former *Ages*; (As it hath fallen out in the *Points* before mentioned;) But such as were in Effect unknown, and untasted heretofore. As first, the *Purity* of *Religion*, which is a *Benefit* *Inestimable*; And was in the time of all former *Princes*, untill the *dayes* of her *Majesties* *Father* of *Famous* *Memory*, unheard of. Out of which *Purity* of *Religion*, have since ensued beside the principal Effect, of the true *Knowledge*, and *Worship* of *God*, three *points* of great *Consequence* unto the *Civil* *Estare*.

One, the stay of a mighty *Treasure* within the *Realme* which in foretimes

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Observations upon a Libel, published, In Anno. 1592.

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5. Increase of People.

6. Reformation in Religion

7. The special Benefits established among us by the purity of Religion.

Observations upon a
Libel, published, in
Anno 1592

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3.

Fineness of
Money.

The Might of
the Navy.

Comparison
the state of
England with
the states a-
broad.
Afflicted in
France.

Low-Coun-
tries.

Portugal.

was drawn forth, to Rome. Another, the *Dispersing* and *Distribution* of those *Revenues*; Amounting to a *Third part* of the *Land* of the *Realme*; And that of the goodliest and richest sort, which heretofore was unprofitably spent in *Monestaries*; Into such Hands as by whom, the *Realm* receiveth, at this day, *Service* and *Strength*; And many Great *Houses* have been set up and augmented. The Third, the *Mannaging*, and *Enfranchising* of the *Regal Dignity*, from the *Recognition* of a *Forreign Superior*: All which *Points*, though begun by her *Father*, and continued by her *Brother*, were yet nevertheless, after an *Eclipse*, or *Intermission*, Restored, and Reestablished, by her *Majesties Self*.

Secondly, the *Fineness* of *Money*: For as the *Purging* away of the *Dross* of *Religion*, the *Heavenly Treasure*, was common to her *Majesty*, with her *Father*, and her *Brother*: So the *Purging* of the *Base Money*, the *Earthly Treasure*, hath been altogether proper to her *Majesties* own *Times*; Whereby our *Monies*, bearing the *Natural Estimation*, of the *Stamp*, or *Mark*: both every *Man* rest assured of his own *value*, and free from the *losses* and *Deceits* which fall out in other places, upon the *Rising* and *Falling* of *Monies*.

Thirdly, the *Might* of the *Navy*, and *Augmentation*, of the *Shipping* of the *Realme*: which by *politicke Constitutions* for *Maintenance* of *Fishing*, And the *Encouragement* and *Assistance* given to the *Undertakers*, of *New Discoveries*, and *Trade*, by *Sea*, is so advanced, as this *Island* is become, (as the *Naturall Sette* thereof deserveth,) the *Lady of the Sea*.

Now to pass from the *Comparison* of *Time*, to the *Comparison* of *place*; We may find in the *States* abroad; Cause of *Pity*, and *Compassion* in some; But of *Envy*, or *Emulation* in none; Our *Condition* being, by the good *Favour* of *God*, not *Inferiour* to any.

The *Kingdom* of *France*, which by reason of the *Seat* of the *Empire* of the *West*, was wont, to have the *precedence*, of the *Kingdoms* of *Europe*, is now fallen into those *Calamities*; that as the *Prophet* saith; *From the Crown of the Head to the Soal of the Foot, there is no whole place*. The *Divisions* are so many, and so intricate, of *Protestants*, and *Catholicks*; *Royalists*, and *Leaguers*; *Burbonists*, and *Lorainists*; *Patriots*, and *Spanish*; As it seemeth, *God* hath some great *Work* to bring to pass upon that *Nation*: yea, the *Nobility* divided from the *Third Estate*; And the *Towns* from the *Fields*: All which *Miseries*, truly to speak, have been wrought by *Spain*, and the *Spanish Faction*.

The *Low-Countries*, which were within the *Age* of a young *Man*, the *Richest*, the *best Peopled*, and the *best Built* *Plots* of *Europe*, are in such *Estate*, as a *Countrey* is like to be in that hath been the *Seat* of thirty years *War*; And although the *Sea-Provinces* be rather encreased in *Wealth* and *Shipping* then otherwise: yet they cannot but mourn for their *Distractions* from the rest of their *Body*.

The *Kingdom* of *Portugal*, which, of late times, through their *Merchandizing*, and places of the *East Indies*, was grown to be an *Opulent Kingdom*, is now at the last, after the unfortunate journey of *Africk*, in that *State* as a *Countrey* is like to be, that is reduced under a *Forreigner* by *Conquest*; And such a *Forreigner* as hath his *Competitor* in *Title*, being a *Natural Portugal*, and no *Stranger*; And having been once in possession, yet in *Life*: whereby his *Jealousie*, must necessarily be encreased, and through his *Jealousie*, their oppression: which is apparent, by the *Carrying* of many *Noble Families*, out of their *Natural Countreys*, to live in *Exile*: And by putting to *Death*, a great Number of *Noble Men*, naturally born to have been *principal Governors* of their *Countries*.

tries. These are three *Afflicted parts* of *Christendome*; The Rest of the States, enjoy, either *Prosperity*, or tolerable *Condition*.

The *Kingdom* of *Scotland*, though at this present, by the good *Regiment* and wise proceeding of the *King*, they enjoy good quiet; yet since our Peace, it hath passed through no small *Troubles*; And remaineth, full of *Boylings* and *Swelling Humours*; But like, by the Maturity of the said *King* every day encreasing, to be repressed.

The *Kingdom* of *Poland*, is newly recovered out of great *Wars*, about an *Ambiguous Election*. And besides, is a *State* of that Composition that their *King* being *Elective*, they do commonly chuse rather a *Stranger*, then one of their own *Countray*. A great Exception, to the Flourishing *Estate* of any *Kingdom*.

The *Kingdom* of *Swedeland*, beside their *Forrain Wars*, upon their *Confins*, the *Muscovites*, and the *Danes*; Hath been also subject to divers *Intestine Tumults* and *Mutations*, as their *Stories* do record.

The *Kingdom* of *Denmark*, hath had good Times, especially by the good *Government* of the late *King*, who maintained the profession of the *Gospel*; But yet greatly giveth place to the *Kingdom* of *England*, in *Climate*, *Wealth*, *Fertility*, and many other Points, both of *Honour*, and *Strength*.

The *Estates* of *Italy*, which are not under the *Dominion* of *Spain*, have had peace equal in continuance with ours; Except in regard of that which hath passed between them and the *Turk*; Which hath sorted to their *Honour*, and *Commendation*: But yet they are so bridleed, and over-awed by the *Spaniard*, that possesseth the two principal *Members* thereof; And that in the two extreame parts, as they be like *Quillets* of *Freehold*, being intermixed, in the midst of a great *Honour* or *Lordship*. So as their *Quiet*, is intermingled, not with *Jealousie* alone, but with *Restraint*.

The *States* of *Germany* have had for the most part, peaceable Times; But yet they yeld to the *State* of *England*; Not only in the great *Honour* of a great *Kingdome*, (they being of a mean *Stile* and *Dignity*, (but also in many other *Respects*, both of *Wealth* and *Policy*).

The *State* of *Savoy*, having been in the Old *Dukes Time*, governed, in good *Prosperity*, hath since, notwithstanding, their new great Alliance with *Spain*, whereupon they waxed insolent, to designe to snatch up some piece of *France*; After the dishonourable Repulse, from the *Siege* of *Genewa*, been often distressed, by a particular *Gentleman* of *Daulpheny*; And at this present day, the *Duke* feeleth, even in *Piedmont*, beyond the Mountains the weight of the same *Enemy*: Who hath lately shut up the *Gates*, and common *Entries*, between *Savoy* and *Piedmont*.

So as hitherto I do not see but that we are as much bound to the *Mercies* of God, as any other *Natio*; Considering that the *Fires* of *Dissention*, and *Oppression* in some *Parts* of *Christendome*, may serve us for *Lights*, to shew us our *Happinesse*: And the good *Estates* of other *places*, which we do congratulate with them for; is such, nevertheless, as doth not stain and exceed ours: But rather doth still leave somewhat, wherein we may acknowledge an ordinary *Benediction* of God.

Lastly, we do not much emulate, the *Greatness* and *Glory* of the *Spaniards*: Who having not only *Excluded* the *Purity* of *Religion*, but also *Fortified* against it, by their *Devise* of the *Inquisition*: which is a *Bulwark*, against the *Entrance*, of the *Truth* of God: Having in

Observations upon a Libel, published, in Anno.

1592.

Prosperous as Scotland, Poland.

Sweden.

Denmark.

Italy.

Germany.

Savoy.

Spain.

Observations upon a Libel, published, in Anno 1642

recompence of their new purchase of Portugal lost a great part of their ancient *Patrimonies* of the Low-Countries, (Being of far greater Commodity and Value) or at the least holding part thereof in such sort as most of their other Revenues are spent there upon their own: Having lately with much Difficulty, rather smoothed and skinned over then Healed, and extinguished the *Commotions* of Arragon: Having rather sowed Troubles in France then reaped Assured Fruit thereof unto themselves: having from the Attempt of England, received Scorn, and Disreputation: Being at this time with the Sues of Italy rather suspected then either loved or feared: Having in Germany and elsewhere, rather much practise, than any sound intelligence or Amity: Having no such clear succession as they need object, and reproach the Incertainty thereof unto another Nation: Have, in the end won a Reputation, rather of Ambition, then Justice: And in the pursuit of their Ambition rather of much enterprising then of Fortunate Achieving, and in their Enterprising rather of doing Things, by Treachery, and Expence, than by Forces and Valour.

Now, that I have given the Reader a Taste of England respectively, and in Comparison of the Times past, and of the States abroad; I will descend to examine the Libellers own Divisions; Whereupon let the World judge how easily and clean this Lake, which he hath cast in our faces, is washed off.

The First Branch of the pretended Calamities of England, is the great and wonderfull Confusion, which he saith is in the State of the Church; which is subdivided again into two parts: The one the Prosecutions against the Catholics, The other the Discords and controversies amongst our selves: The former of which 2. parts, I have made an Article by it self; Wherein, I have set down a clear and simple Narration of the proceedings of State, against that sort of Subjects; Adding this by the way: That there are two Extremities in State, concerning the Causes of Faith and Religion: That is to say, the Permission of the Exercises of more Religions than one, which is a dangerous Indulgence and Toleration, the other is the entering and sifting into Mens Consciences when no Overt Scandal is given; which is Rigorous and Strainable Inquisition: And I avouch the proceedings towards the intended Catholics, to have been a mean between these two Extremities; Referring the Demonstration thereof unto the aforesaid Narration in the Articles following.

Touching the Divisions in our Church, the Libeller affirmeth that the Protestantical Calvinism (for so it pleaseth him with very good grace to term the Religion with us established) is grown Contemptible and Detested of Idolatry and Heresie, and many other superstitious Abuses, by a Varfied sort of Professors of the same Gospel. And this Contention is yet grown to be more intricate, by reason of a Third kind of Gospellers called Brownists. Who being directed by the great Fervour of the Unholy Ghost, do expressly affirm, that the Protestantical Church of England is not gathered in the name of Christ, but of Antichrist: And that if the Prince or Magistrate under her do refuse or defer to reform the Church, the people may without her consent take the Reformation into their own Hands: And hereto he addeth the Fanatical Pageant of Hacket: And this is the Effect of this Accusation in this point.

For Answer whereunto, First, it must be remembered that the Church of God, hath been in all Ages subject to Contentions and Schismes. The Tares were not sown, but where the Wheat was sown before. Our Sa-

Concerning the Controversie of our Church.

When Christ delivereth it for an *Ill Note*, to have outward Peace, saying *When a strong man is in possession of the House (meaning the Devill) all Things are in peace.* It is the Condition of the Church, to be ever under *Trials*: And there are but two *Trials*: The one of Persecution; The other of Scandal and Contention: And when the one ceaseth, the other succeedeth: Nay there is scarce any one *Epistle* of St. Pauls unto the Churches, but containeth some *Reprehension* of unnecessary and Schismatical *Controversies*. So likewise in the *Reign of Constantine the great*, after the time that the Church had obtained Peace from persecution strait entred sundry *Questions* and *Controversies*, about no less Matters then the *Essential Parts*, of the *Faith*, and the high *Mysteries* of the *Trinity*. But Reason teacheth us that in *Ignorance*, and *Implied belief*, it is easie to agree as *Co'ours* agree in the Dark: Or if any *Countrey* decline into *Atheism* then *Controversies* wax dainty because Men do think Religion scarce worth the falling out for: So as it is weak *Divinity* to account *Controversies* an *ill Sign* in the Church.

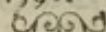
It is true that certain men moved with an inconsiderate *Detestation* of all Ceremonies or Orders, which were in use in time of the *Roman Religion* (As if they were without difference superstitious or polluted) And led with an affectionate Imitation of the Government of some Protestant Churches in *Forrain States*; Have sought by *Bookes* and *Preaching* indiscreetly, and sometimes undutifully to bring in an *Alteration* in the *Extern Rites* and *Pollicy* of the Church; But neither have the grounds of the *Controversies* extended unto a point of *Faith*; Neither hath the pressing and *Prosecution* exceeded in the generallity the *Nature* of some inferiour *Contempts*. So as they have been far from *Heresie* and *Sedition*, and therefore rather *Offensive* than *Dangerous* to the Church or State.

And as for Those which we call *Brownists* being when they were at the most a very small Number of very silly and base people, here and there in Corners dispersed, they are now (thanks be to God) by the good Remedies that have been used suppressed and worn out; so as there is scarce any News of them. Neither had they been much known at all, had not *Brown* their Leader Written a *Pamphlet*, wherein as it came into his head he inveighed more against *Logick* and *Rhetorick* than against the *State* of the Church (which Writing was much read) and had not also one *Barrow* (being a Gentleman of a good House, but one that lived in London at Ordinaries, and there learned to argue in *Table-Talk*, and so was very much known in the City and abroad) made a Leap from a vain and Libertine youth, to a preciseness in the highest Degree; The strangeness of which *Alteration* made him very much spoken of; The Matter might long before have breathed out. And here I note an *Honesty* and *Discretion* in the *Libeller*, which I note no where else; In that he did forbear to lay to our charge the Sect of the *Family of Love*: For about 12. years since there was creeping in some secret places of the *Realm* indeed a very great *Heresie* derived from the *Dutch*, and named as before was said: which since by the good blessing of God, and by the good strength of our Church is banished and extinct. But so much we see that the *Diseases* wherewith our Church hath been visited, whatsoever these men say have either not been *Maligne* and *Dangerous*; Or else they have been as *Blisters* in some small Ignoble part of the *Body*, which have soon after fallen and gone away. For such also was the *Phrenetical* and *Fanatical* (For I mean not to determine it) *Attempt of Hacket*; Who must needs have been thought a very Dan-

Observations upon a Libel, published in Anno 1592

Observations upon a Libell published In Anno.

1592.



Dangerous Heretick, that could never get but two Disciples; And those as it should seem perished in their Brain; And a Dangerous Commotioner that in so great and populous a City as London is could draw but those same two Fellows, whom the People rather laughed at as a May-game, than took any heed of what they did or said: So as it was very true that an honest poor Woman said when she saw Hackett out of a Window pass to his Execution: Said she to her self; It was foretold that in the latter dayes there should come those that have deceived many; but in faith thou hast deceived but a few.

But it is manifest Untruth which the Libeller setteth down, that there hath been no Punishment done upon those which in any of the foresaid kinds have broken the Lawes and disturbed the Church and State: And that the Edge of the Law hath been onely turned upon the pretended Calumniators: For the Examples are very many, where according to the Nature and Degree of the Offence, the Correction of such Offenders hath not been neglected.

These be the great Confusions, whereof he hath accused our Church; which I refer to the Judgement of an indifferent and understanding person, how true they be: My meaning is not to blanch or excuse any Fault of our Church; Not on the other side, to enter into Commemoration, how flourishing it is in Great and Learned Divines; or painfull and excellent Preachers: Let man have the Reproof of that which is amiss, and God the Glory of that which is good. And so much for the First Branch.

Concerning the Forraign Enemies of this State.

In the Second Branch, he maketh great Mistakes and Shewes of the strength and multitude of the Enemies of this State: Declaring in what evil Terms, and Correspondence we stand with Forraign States, and how desolate and destitute we are of Friends and Confederates, doubting belike, how he should be able to prove and justifie his Assertion touching the present miseries, and therefore endeavouring at the least to maintain that the good Estate which we enjoy is yet, made somewhat bitter by reason of many Terrours and Fears. Whereupon entering into Consideration of the security wherein not by our own policy, but by the good Providence and protection of God, we stand at this Time, I do find it to be a Security of that Nature and Kind, which Socrates the Athenian did commend; who being a Commissioner to treat with the State of Sparta upon Conditions of Peace; And hearing the other side make many propositions touching Security; Interrupted them and told them; There was but one manner of Security, whereupon the Athenians could rest; which was if the Deputies of the Lacedemonians, could make it plain unto them, that after these & these things parted withal, the Lacedemonians should not be able to hurt them though they would. So it is with us, as we have not, justly provoked the Hatred or Enmity of any other State, so nowsoever that be, I know not at this time, the Enemy, that hath power to offend us though he had the Will.

And whether we have given just Cause of Quarrel or Offence, it shall be afterwards touched in the fourth Article touching the true Causes of the Disturbance of the Quiet of Christendome; As far as it is fit to justifie the Actions of so high a Prince upon the Occasion of such a Libel as this. But now concerning the Power and Forces of an Enemy, I do find that England hath sometimes apprehended with Jealousie, the Confederation between France and Scotland: The one being upon the same Continent that we are, and breeding a Souldier of Puissance and Courage, not much differing from the English; The other a Kingdom very Opulent, and thereby able to sustain Wars, though at very Great Charge: And having a brave Nobili-

And being a near Neighbour. And yet or this *Conjunction*, there never came any Offence of Moment. But *Scotland* was ever rather used by *France* as a Diversion of an *English Invasion* upon *France*, than as a Commodity of a *French Invasion* upon *England*. I confess also that since the *Union* of the Kingdom of *Spain*: and during the time the Kingdom of *France* was in his Entire, a *Conjunction* of those two potent Kingdoms against us might have been of some *terror* to us. But now it is evident that the State of *France* is such as both those *Conjunctions* are become Impossible: It resteth that either *Spain* with *Scotland* should offend us, or *Spain* alone: For *Scotland* (thanks be to God) the *Amity* and *Intelligence* is so sound and secret between the two Crowns; Being strengthened by *Consent* in *Religion*, *Nearness* of *Blood*, and *Continual* good Offices, reciprocally on either side as the *Spaniard* himself in his own Plot, thinketh it easier to alter, and overthrow the present State of *Scotland*, than to remove and divide it from the *Amity* of *England*. So as it must be *Spain* alone that we should fear: which should seem by reason of his *Spacious* Dominions to be a great overmatch. The conceit whereof maketh me call to mind the Resemblance of an *Ancient Writer* in *Physick*; who labouring to perswade that a *Physician* should not doubt sometimes to purge his *Patient* though he see him very weak; Entreth into a distinction of weakness, and saith there is a weakness of Spirit, and a weakness of Body: The latter whereof he compareth unto a man, that were otherwise very strong but had a great pack on his neck: So great as made him double again; So as one might thrust him down with his Finger: Which similitude and distinction both may be fitly applyed to matter of State: For some States are Weak, through want of Means, and some Weak through excess of Burthen: In which rank I do place the State of *Spain*, which having outcompassed it self in embracing too much; And being it self but a barren Seed-plot of Souldiers, and much decayed and Exhausted of Men by the *Indies* and by continual Wars: and as to the State of their Treasure, being indebted and engaged before such times as they waged so great Forces in *France* (and therefore much more since,) Is not in brief an Enemy to be feared by a Nation Seated, Manned, Furnished and Policed as is *England*.

Observations upon a
Libel, published in
Anno 1592
CXXV

Neither is this spoken by guesse; For the Experience was Substantial enough, and of fresh memory, in the late Enterprize of *Spain* upon *England*; What time all that goodly Shipping which in that Voyage was consumed, was compleat; what Time his Forces in the Low-Countries, was also full and entire, which now are wasted to a fourth part, what time also he was not entangled with the Matters of *France*; But was rather like to receive assistance than Impediment from his Friends there: In respect of the great Vigour, wherein the League then was (while the Duke of Guise then lived: and yet nevertheless this great preparation passed away like a Dream. The *Invincible Navy*, neither took any one Barque of ours; Neither yet once offered to land; But after they had been well beaten and Chaled, made a Perambulation about the Northern Seas; Ennobling many Coasts, with Wracks of mighty ships; and so returned home with greater Derision then they set forth with expectation.

So as we shall not need much Confederacies and Succours (which he saith we want for the breaking of the *Spanish Invasion*) No, though the *Spaniard* should nestle in *Brittain*, and supplant the *French*, and get some Port-Townes into their hands there (which it far off) yet shall he never be so commodiously seated, to annoy us, as if he had kept the Low-Countries; And we shall

Observations upon a Libell published in Anno. 1592.

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will rather tear him as a *wrangling Neighbour*, that may Trespas now and then upon some *stragling Ships* of ours, than as an *Intruder*. And as for our Confederacies, God hath given us both *Means* and *Minds* to tender and relieve the States of others. And therefore our Confederacies are rather of Honour, then such as we depend upon. And yet nevertheless the *Apollata's* and *Hugonets* of France on the one parts (For so he termeth the whole Nobility in a manner of France; Among the which a great part is of his own Religion; which maintain the clear and unblemished Title of their Lawfull and Natural King, against the seditious popular) And the *Beere Brewers* and *Basket-Makers* of Holland and *Zeland* (As he also terms them) on the other, have almost banded away between them, all the Duke of Parma's Forces: And I suppose the very *Mines* of the *Indies* will go low, or ever the one be Ruined, or the other recovered. Neither again, desire we better Confederacies and Leagues then Spain it self hath provided for us: *Non enim verbis federa confirmantur sed jisdem utilitatibus*. We know to how many States the King of Spain, is odious and suspected; And for our selves we have incensed none by our Injuries; Nor made any Jealous of our Ambition: These are in Rules of Policy, the Firmest Contracts.

Let thus much be said in answer of the second Branch, concerning the Number of the *Exterior Enemies*: Wherein my Meaning is nothing less, than to attribute our *Felicitie*, to our Policy; Or to nourish our selves in the humour of Security. But I hope we shall depend upon God and be vigilant; And then it will be seen, to what end these *False Alarums* will come.

In the third Branch of the *Miseries* of England, he taken upon him, to play the prophet as he hath in all the rest play'd the Poet: And will needs Divine or *Prognosticate*, the great Troubles, whereunto this Realm shall fall after her *Majesties* Times: As if he that hath so singular a gift in *Lying* of the present Time, and Times past, had nevertheless an extraordinary Grace in telling Truth of the Time to come; Or as if the Effect of the *Popes Curses* of England were upon better Advise, adjourned to those dayes. It is true it will be Misery enough for this Realm (whensoever it shall be) to lose such a Sovereign: But for the rest, we must repose our selves, upon the good pleasure of God: So it is an unjust Charge in the Libeller to impute an Accident of State to the fault of the Government.

It pleaseth God sometimes to the end to make Men depend upon him the more to hide from them the clear sight of future Events; And to make them think that full of Uncertainties, which proveth Certain and Clear: And sometimes on the other side to crosse Mens Expectations, and to make them full of Difficulty, and perplexity in that which they thought to be Easie and Assured. Neither is it any new Thing for the Titles of Succession in Monarchies, to be at Times less or more declared. King Sebastian of Portugal before his Journey into *Affrick* declared no Successor. The Cardinal though he were of extream Age, and were much importuned by the King of Spain, and knew directly of 6. or 7. Competitors to that Crown; yet he rather established I know not what Interims, then decided the Titles, or designed any certain Successor. The Dukedome of Ferrara is at this Day after the Death of the Prince that now liveth, uncertain in the point of Succession: The Kingdom of Scotland, hath declared no Successor. Nay it is very rare in Hereditary Monarchies by an Act of State, or any Recognition or Oath of the People in the Collateral line to establish a Successor. The Duke of Orleans succeeded Charles the 8th.

of France, but was never declared *Successor* in his time. *Monsieur d'Angoulesme* also succeeded him, but without any *Designation*. *Sonns of Kings* themselves oftentimes through desire to reign and to prevent their Time, wax dangerous to their *Parents*: How much more *Consens* in a more *Remote Degree*? It is lawfull no doubt and Honourable if the Case require for *Princes* to make an establishment. But as it was said it is rarely practised in the *Collateral Line*. *Trajan*, the best *Emperor of Rome*, of an *Heathen* that ever was; At what time the *Emperors* did use to design *Successors*, not so much to avoid the *Uncertainty of succession*, as to the end, to have *Participes Curarum* for the present Time, because their *Empire* was so vast; At what Time also *Adoptions* were in use and himself had been *Adopted*, yet never designed a *Successor*, but by his *Last will and Testament* which also was thought to be suborned by his *Wife Plotina* in the Favour of her *Lower Adrian*.

You may be sure that nothing hath been done to prejudice the *Right* And there can be but one *Right*. But one thing I am perswaded of, that no *King of Spain*, nor *Bishop of Rome*, shall umpire nor promote any *Beneficiary*, or *Peodatory King*, as they designed to do; Even when the *Scottish Queen* lived whom they pretended to cherish. I will not retort the matter of *Succession upon Spain* but use that *modesty and reverence*, that belongeth to the *Majesty* of so great a *King*, though an *Enemy*. And so much for this *Third Branch*.

The fourth Branch he maketh to be touching the *Overthrow of the Nobility*, and the *Oppression of the People*: wherein though he may percase, abuse the *Simplicity* of any *Forreiner*, yet to an *English man* or any that heareth of the present *Condition of England*, he will appear to be a Man of singular *Audacity*, and worthy to be employed in the defence of any *Paradox*. But surely if he would needs have defaced the *general State of England*, at this time he should in wisdom rather have made some *Friarly declamation* against the *Excess of Superfluity and Delicacy* of our Times; then to have insisted upon the *miserly and poverty and Depopulation of the Land*, as may sufficiently appear by that which hath been said.

But nevertheless to follow this Man in his own steps: First concerning the *Nobility*: It is true that there have been in Ages past, *Noblemen* (as I take it) both of greater *Possessions* and of greater *Command and sway* than any are at this day. One *Reason* why the *Possessions* are less, I conceive to be because certain *sumptuous Veins and Humours of Expence* (as *Apparel, Gaming, maintaining of a kind of followers and the like*) Do reign more than they did in times past. Another *Reason* is because *Noblemen* now a dayes do deal better with their younger *Sons* than they were accustomed to do heretofore, whereby the *principal House* receiveth many *Abatements*. Touching the *Command* which is not indeed so great as it hath been, I take it rather to be a *Commendation of the Time*, then otherwise: For men were wont factiously to depend upon *Noblemen* whereof ensued many *Partialities and Divisions*, besides much *Interruption of Justice*, while the great ones did seek out those that did depend upon them. So as the *Kings of this Realm*, finding long since that kind of *Commandment in Noblemen unsafe unto their Crown*, and *Inconvenient unto their People*, thought meet to restrain the same by provision of *Laws* whereupon grew the *Statute of Retainers*: So as men now depend upon the *Prince and the Laws*, and upon no other: A matter which hath also a *Congruity* with the *Nature of the Time*, as may be seen in other *Countries*;

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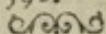
Namely

Observations upon a Libel, published, In Anno.

1592.

Concerning the State of the Nobility.

Observations upon a Libell. published In Anno. 1592.



Namely, in Spain, where their *Grandees*, are nothing so Potent, and so Absolute, as they have been in Times past. But otherwise, it may be truly affirmed, that the *Rights*, and *preheminencies* of the *Nobility* were never more duly and exactly preserved unto them, then they have been in her *Majesties Times*; The *Precedence* of *Knights*, given to the *younger Sons* of *Barons*; No *Suspens*'s, awarded against the *Nobility* out of the *Chancery*, but *Letters*; No *Answer* upon *Oath*, but upon *Honour*; Besides a Number of other *Priviledges*, in *Parliament*, *Court*, and *Country*. So likewise for the *Countenance* of her *Majestie* and the *State*, in *Lieutenancies*, *Commissions*, *Offices* and the like, there was never a more *Honourable* and *Graceful* *Regard*, had of *Nobility*; Neither was there ever a more *Faithful Remembrancer* and *exacter*, of all these *particular preheminencies* unto them; Nor a more *Diligent* *Searcher*, and *Register* of their *Pedigrees*, *Alliances* and all *Memorials* of *Honour* then that *MAN*, whom he chargeth, to have overthrown the *Nobility*; Because a few of them by *immoderate Expence* are decayed, according to the *Humour* of the time, which he hath not been able to resist, no not in his own *House*. And as for *Attainders*, there have been in 35. years, but Five of any of the *Nobility*, whereof but two came to *Execution*, and one of them, was accompanied, with *Restitution* of *Blood* in the *Children*: Yea all of them except *Westmerland*, were such, as whether it were by *Favour* of *Law* or *Government*, their *Heires* have, or are like to have, a great Part of their *Possession*. And so much for the *Nobility*.

Touching the *Oppression* of the *Peple*, he mentioneth four points.

1. The *Consumption* of *People* in the *Wars*.
2. The *Interruption* of *Traffick*.
3. The *Corruption* of *Justice*.

4. The *Multitude* of *Taxations*: Unto all which points, there needeth no long *Speech*. For the first, (thanks be God;) the *Benediction* of *Crescite and Multiplicamini*, is not so weak upon this *Realm* of *England*, but the *Population* thereof may afford such *Loss* of *Men* as were sufficient for the *Making* our late *Wars*; and were in a *perpetuity*, without being seen, either in *City* or *Country*. We read that when the *Romans*, did take *Cerese*, of their *People*, whereby the *Citizens* were numbred by the *Poll*, in the beginning of a great *War*, and afterwards again at the ending, there sometimes wanted a *Third part* of the *Number*: But let our *Muster Books* be perused, (those I say that certifie, the *Number* of all *Fighting Men* in every *Shier*;) of *vice simo* of the *Queen*; At what time, except a handful of *Souldiers*, in the *Low Countries*, we expended no *Men* in the *Wars*, And now again, at this present time and there will appear small *Diminution*. There be many *Tokens* in this *Realm* rather of *Press*, and *Surcharge* of *People*, then of *Want*, and *Depoulation*, which were before recited. Besides it is a better *Condition* of *Inward peace* to be accompanied, with some *Exercise* of no *Dangerous War* in *Forreign parts*, then to be utterly without *Apprentisage* of *War*, whereby *People* grow *Effeminate* and *unpractised* when *Occasion* shall be. And it is no small strength unto the *Realm*, that in these *Wars* of *Exercise* and not of *Peril*, so many of our *People* are *trained*, And so many of our *Nobility* and *Gentlemen*, have been made *Excellent Leaders* both by *Sea* and *Land*. As for that he objecteth we have no *Provision* for *Souldiers* at their *Return*, Though that point hath not been altogether neglected, yet I wish with all my *Heart*, that it were more *Ample* then it is: Though I have read and heard, that in all *Estates* upon *Casbeering*, and *Disbanding* of *Souldiers*, many have endured *Necessity*.

For the *Stopping* of *Traffique*, as I referred my self to the *Muster-Books* for the

Concerning the State of the Common subject.

First, so I refer my self to the *Custom-Books*, upon this which will not lye, And do make *Demonstration* of no *Abatement* at all in these last years, but rather of *Rising* and *Encrease*. We know of many in *London* and other places, that are within a small time greatly come up and made Rich by *Merchandizing*: And a Man may speak within his *Compass* and affirm, That our *Prizes* by *Sea*, have countervailed, any *Prizes* upon us.

And as to the *Justice* of this *Realm*, it is true, that *Cunning* and *Wealth* have bred many *Suits* and *Debates* in *Law*: But let those *Points* be considered: The *Integrity* and *Sufficiency* of those which supply the *Judicial* places in the *Queens Courts*; The good *Laws* that have been made in her *Majesties* times against *Informers*, and *Promoters*; And for the bettering of *Trials*: The *Example* of *Severity* which is used in the *Star-Chamber*, in oppressing *Forces* and *Frauds*; The *Diligence*, and *Stoyness* that is used by *Justices* of *Assises*, in Encountering all *Countenancing* and *Bearing* of *Causes* in the *Countrie*, by their *Au horities* and *Wisdomes*; The great *Favours*, that have been used towards *Coppy-holders*, and *Customary Tenants*, which were in ancient times merely, at the *Discretion* and *Mercy* of the *Lord*; And are now continually relieved from hard *Dealing*, in *Chancery* and other *Courts* of *Equity*: I say, let these and many other *Points* be considered; and Men will worthily conceive, an *Honourable Opinion* of the *Justice* of *England*.

Now to the *Points* of *Levies* and *Distributions* of *Money*, which he calleth *Exactions*. First, very coldly, he is not abashed to bring in the *Gathering* for *Pauls Steeple*, and the *Lottery Trifles*: Whereof the former being but a *Voluntary Collection* of that Men were freely disposed to give, never grew to so great a *Sum* as was sufficient to finish the *Work*, for which it was appointed: And so I imagine, it was converted into some other use; like to that *Gathering* which was for the *Fortification* of *Paris*, save that the *Gathering* for *Paris* came to a much greater, though (as I have heard,) no competent *Sum*. And for the *Lottery*, it was but a *Novelty* devised and followed by some particular persons, and only allowed by the *State*, being as a *Gain* of *Hazzard*: Wherein if any *Gain* was, it was because many Men, thought *Scorn* after they had fallen from their greater hopes to fetch their *old Money*. Then he mentioneth *Loanes* and *Privie Seales*; Wherein he sheweth great *Ignorance* and *Indiscretion* considering the *payments* back again have been very *Good* and *Certain*; And much for her *Majesties Honour*. Indeed in other *Princes Times* it was not wont to be so: And therefore though the *Name* be not so pleasant, yet the *Use* of them in our *Times* have been with small *Grievance*. He reckoneth also *new Customes* upon *Cloaths* and *new Impost* upon *Wines*. In that of *Cloaths* he is deceived; For the ancient *Rate* of *Custom* upon *Cloaths* was not raised by her *Majesty*, but by *Queen Mary*, a *Catholique Queen*: And hath been commonly continued by her *Majesty*; Except he mean the *Computation* of the odd yards, which in strict *Duty*, was ever answerable; Though the *Error* were but lately looked into, or rather the *Tolleration* taken away. And to that of *VVines* being a *Forreign Merchandize*, and but a *Delicacy*, and of those which might be forborn, there hath been some *Encrease* of *Imposit* on, which can rather make the *Price* of *VVine* *Higher* then the *Merchant* poorer. Lastly, touching the *Number* of *Subsidies*, it is true, that her *Majesty* in respect of great *Charges* of her *WWars*, both by *Sea* and *Land* against such a *Lord of Treasure* as is the *King of Spain*: Having for her part no *Indies*, nor *Mines*; And the *Revenues* of the *Crown* of *England* being such as they less grate upon the *people*, then *Revenues* of any *Crown* or *State* in *Europe*; Hath by the *Assent* of *Parliament*, according to the ancient *Customes* of this *Realm* received

Observations upon a
Libel, published in
Anno 1592

Observations upon a Libel, published, In Anno 1592

divers *Subsidies* of her *People* which as they have been employed upon the Defence and preservation of the *Subject*; Not upon *Excessive Buildings*, nor upon *Immoderate Donatives*, nor upon *Triumphs* and *Pleasures*; Or any the like *veines of Dissipation of Treasure*, which have been *Familiar* to many *Kings*: So have they been yielded with great good will and cheerfulness: As may appear by other kinds of *Benevolence*, presented to her likewise in *Parliament*; which her *Majesty* nevertheless hath not put in *Ure*. They have been *Taxed* also and *assessed* with a very *Light* and *Gentle Hand*. And they have been spared as much as may be; as may appear, in that her *Majesty* now twice to spare the *Subject*, hath sold off her own *Lands*. But he that shall look into other *Countries* and consider the *Taxes* and *Tallages* and *Impositions* and *Assises*, and the like that are every where in use: Will find that the *English Man*, is the most *Master*, of his own *Valuation*, and the least bitten in his *Purse* of any *Nation* of *Europe*. Nay even at this instant in the *Kingdom* of *Spain* notwithstanding the *Pioners* do still work in the *Indian Mines*, the *Jesuites* most play the *Pioners* and Mine into the *Spaniards Purse*, and under the *Colour* of a *Ghastly Exhortation*, contrive the greatest *Exaction* that ever was in any *Realm*.

Thus much in answer of these *Calumniationes* I have thought good to note touching the present state of *England*: which state is such that whosoever hath been an *Archited* in the *Frame* thereof under the *Blessing* of *God*, and the *Vertues* of our *Sovereign*, needed not to be ashamed of his *Work*.

3. Of the Proceedings against the pretended Catholiques; Whether they have been Violent, or Moderate, and Necessary.

I Find her *Majesties Proceedings* generally to have been grounded upon two *Principles*; The one,

That *Consciences* are not to be forced but to be Won and reduced by the Force of *Truth*, by the aid of *Time*, and the Use of all good means of *Instruction* or *Perswasion*.

The other,

That *Causes of Conscience*, when they exceed their *Bounds* and prove to be *Matter of Faction*, leese their *Nature*; And that *Sovereign Princes* ought distinctly to punish the *Practise* or *Contempt*, though coloured with the *Pretences* of *Conscience*, and *Religion*.

According to these two *Principles* her *Majesty* at her *Comming* to the *Crown* utterly disliking of the *Tyranny*, of the *Church of Rome*, which had used by *Terror* and *Rigour* to seek *Commandement* over *Mens Faiths*, and *Consciences*; Although as a *Prince* of great *Wisdom*, and *Magnanimity*, she suffered but the *Exercise* of one *Religion*, yet her *Proceedings* towards the *Papists*, was with great *Lenity*; Expecting the good *Effects* which *Time* might work in them.

And therefore her *Majesty* revived not the *Laws* made in 28th. and 35th. of her *Fathers Reign*, Whereby the *Oath of Supremacy*, might have been

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ordered at the *Kings Pleasure* to any *Subject*, though he kept his *Conscience* never so modestly to himself, and the *Refusal* to take the same *Oath*, without further *Circumstance*, was made *Treason*: But contrariwise, her *Majesty* not liking to make *Windows* into *Mens Hearts*, and *secret Thoughts* Except the *Abundance* of them did overflow into *Overt* and *Express Acts* and *Affirmations*; Tempered her *Law* so as it restraineth only manifest *Disobedience* in impugning, and impeaching advisedly, and ambitiously, her *Majesties* *supream power*, and maintaining and *Extolling* a *Forrain Jurisdiction*. And as for the *Oath* it was altered by her *Majesty* into a more grateful Form; the *Harshness* of the Name, and *Appellation* of *supream Head* was removed: And the *Penalty* of the *Refusal* thereof turned into a *Disablement* to take any *Promotion* or to exercise any *charge*; and yet that with a *Liberty* of being *revested* therein, if any *Man* shall accept thereof during his *Life*.

But after many years *Teluration* of a multitude of *Factions* *Papists* when *Pius Quintus* had *Excommunicated* her *Majesty*, and the *Bill of Excommunication* was published in *London*; whereby her *Majesty* was in a sort proscribed, and all her *Subjects* drawn upon pain of *Damnation* from her *Obedience*, and that thereupon as upon a *Principal Motive* or *Preparative*, followed the *Rebellion* in the *North*, yet notwithstanding because many of those *Evil Humours* were by that *Rebellion* partly *purged*, and that she feared at that time no *Forrain Invasion*, and much less the *Attempts* of any within the *Realm*, not backed by some *Forrain Succours* from without, she contented her self to make a *Law* against that *special Case* of bringing in, or publishing of *Bulls* or the like *Instruments*: Whereunto was added a *Prohibition* not upon pain of *Treason*, but an *Inferiour Degree* of *Punishment*, against bringing in of *Agnus Dei's*, *Hallowed Beads*, and such other *Merchandise* of *Rome*, as are well known not to be any *Essential* part of the *Roman Religion*, but only to be used in *practise* as *Love-Tokens* to enchant and bewitch the peoples *Affections* from their *Allegiance* to their *Natural Sovereign*. In all other *Points* her *Majesty* continued her former *Lenity*.

But when about the 20th. year of her *Reign* she had discovered in the *King of Spain* an *Intention* to *Invaide* her *Dominions*, and that at a principal *Point* of the *Plot*, was to prepare a party within the *Realm*, might adhere to the *Forrainger*; And that the *Seminaries* began to *Blossome* and to send forth dayly *Priests* and *professed men*, who should by vow taken at *Shrift*, reconcile her *Subjects* from her *Obedience*; yea and bind many of them to attempt against her *Majesties Sacred Person*, and that by the *poysen* they spred, the *Humours* of most *Papists* were altered, and that they were no more *Papists* in *Custome*, but *Papists* in *Treasonable Faction*: Then were there new *Lawes* made for the punishment of such as should submit themselves to *Reconcilements* or *Renunciations* of *Obedience*. For it is to be understood that this *Manner* of *Reconciliation* in *Confession*, is of the same *Nature* and *Operation* that the *Bull* it self was of, with this onely difference; That whereas the *Bull* assoyled the *Subjects* from their *Obedience* at once, the other one by one. And therefore it is both more *Secret*, and more *Insinative* into the *Conscience* being joyned with no lesse matter than *Absolution* from *Mortal Sin*. And because it was a *Treason* carried the clouds, and in wonderfull *secresie*, and came seldome to *Light*; And that there was no *Presumption* thereof so great as the *Recusants* to come to *Divine Service*, because it was set down by their *Decrees* That to

Observations upon a Libel, published In Anno 1592

Observations upon a Libel, published, In Anno 1592

come to Church before Reconcilement was to live in Schism; but to come to Church after Reconcilement was absolutely Heretical and Damnable. Therefore there were added new Lawes, containing a Punishment pecuniary, against the Recusants; Not to enforce Consciences, but to Enfeeble those of whom it rested Indifferent and Ambiguous, whether they were reconciled or no? For there is no doubt but if the Law of Recusancy, (which is challenged to be so Extream and Rigorous) were thus qualified; That any Recusant that shall voluntarily come in and take his Oath that He or She were never reconciled, should immediately be discharged of the Penalty and Forfeiture of the Law, they would be so far from liking well of that Mitigation, as they would cry out it was made to entrap them. And when notwithstanding all this provision, this Poyson was dispersed so secretly, as that there was no means to stay it, but to restrain the Merchants that brought it in; Then was there lastly added a Law, whereby such Seditious Priests of the new erection were exiled; And those that were at that time within the Land shipped over; And so commanded to keep hence upon Pain of Treason.

This hath been the Proceeding with that sort, though intermingled not only with sundry Examples of her Majesties Grace, towards such as in her wisdom she knew to be Papists in Conscience, and not in Fact; But also with an extraordinary Mitigation towards the Offenders in the Highest Degree convicted by Law, if they would protest: That in Case this Realm should be invaded with a Forrain Army, by the Popes Authority for the Catholick Cause (as they term it) they would take part with her Majesty, and not adhere to her enemies.

And whereas he saith no Priest dealt in matter of state (Ballard onely excepted) it appeareth by the Records of the Confession of the said Ballard and sundry other Priests; That all Priests at that time generally were made acquainted with the Invasion then intended; and afterwards put in Act and had received Instructions not only to move an Expectation in the people of a Change; But also to take their Vows and Promises in Shrift to adhere to the Forrainger. Insomuch that one of their Principal Heads vaunted himself in a Letter, of the Devise saying: That it was a Point the Counsel of England would never dream of; Who would imagine that they should practise with some Noble-man to make him Head of their Faction, whereas they took a Course only to deal with the People, and them so severally, as one apprehended, should be able to appeal no more than himself, except the Priests who he knew would reveal nothing that was uttered in Confession. So Innocent was this Princely Priestly Function which this Man taketh to be but a matter of Conscience and thinketh it Reason it should have free Exercise throughout the Land.

4. Of the Disturbance of the Quiet of Christendom; And to what Causes it may be justly assigned.

Observations upon a Libel, published, In Anno.

1592.

IT is indeed a Question (which those that look into Matters of State do we'll know to fall out very often; though this *Libeller* seemeth to be more ignorant thereof) whether the *Ambition* of the more mighty State or the *Jealousie* of the *Less* mighty State to be charged with *Breach of Amity*. Hereof as there may be many *Examples*, so there is one so proper unto the present matter; as though it were many years since yet it seemeth to be a *Parable* of these Times, and name'y of the proceedings of Spain and England.

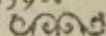
The *States* Then which answered to these two, Now were *Macedon* and *Athens*. Consider therefore the Resemblance between the two *Philips* of *Macedon* and *Spain*. He of *Macedon* aspired to the *Monarchy* of *Greece* as he of *Spain* doth of *Europe*: But more apparently than the first; Because that Design was discovered in his Father *Charles the 5th.* and so left him by Descent: whereas *Philip* of *Macedon* was the first of the Kings of that Nation which fixed so great Concoits in his Breast. The Course, which this King of *Macedon* held was not so much by great Armies and *Invasions* (Though these wanted not when the Case required) But by practise by, sowing of *Factions* in *States*, and by *Obliging* sundry particular persons of Greatness. The State of *Opposition* against his Ambitious proceedings was onely the State of *Athens*, as now is the State of *England* against *Spain*. For *Lacedaemon* and *Thebes* were both low as *France* is now; And the rest of the *States* of *Greece* were in power and Territories far inferiour. The people of *Athens* were exceedingly affected to Peace; And weary of Expence. But the Point which I chiefly make the comparison, was that of the *Orators*, which were as *Counsellors* to a *Popular State*; Such as were sharpest sighted, and looked deepest into the *Projects* and spreading of the *Macedonians* (doubting still that the Fire after it licked up the Neighbour States, and made it self Opportunity to pass would at last take hold of the Dominions of *Athens* with so great Advantages as they should not be able to remedy it) were ever charged both by the *Declarations* of the King of *Macedon* and by the *Imputation* of such *Athenians* as were corrupted to be of his Faction as the *Kindlers* of *Troubles* and *Disturbers* of the Peace and Leagues: But as that Party was in *Athens* too mighty, so as it discountenanced the true Counsels of the *Orators* and so bred the Ruine of that State, and accomplished the ends of that *Philip*: So it is to be hoped that in a *Monarchy* where there are commonly better Intelligences and Resolutions, than in a popular State, those Plots as they are detected already, so they will be resisted and made Frustrate.

But to follow the *Libeller* in his own Course, the Sum of that which he delivereth concerning the *Imputation*; As well of the *Interruption* of the Amity between the Crowns of *England* and of *Spain*; As the *Disturbance* of the general Peace of *Christendome*, Unto the *English* proceedings, and not to the *Ambitious Appetites* of *Spain*; may be reduced into Three Points.

1. Touching the Proceeding of *Spain* and *England* towards their Neighbour States.

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Observati-
ons upon a
Libell. pub-
lished In
Anno.
1592.



2. Touching the Proceeding of Spain and England between themselves.

3. Touching the Articles and Conditions which it pleaseth him as it were in the behalf of England to pen and propose for the treating and concluding of an Universal Peace.

In the First he discovereth how the King of Spain never offered Molestation; Neither unto the States of Italy upon which he confineth by Naples and Millain; Neither unto the States of Germany unto whom he confineth by a part of Burgundy and the Low-Countries; Nor unto Portugal till it was devolved to him in Title, upon which he confineth by Spain: But contrariwise as one that had in precious regard the Peace of Christendom, he designed from the beginning to turn his whole Forces upon the Turk. Only he confesseth that agreeable to his Devotion which apprehended as well the purging of Christendom from Heresies, as the enlarging thereof upon the Infidels; He was ever ready to give Succours unto the French Kings against the Hugonots, especially being their own Subjects; Whereas on the other side England (as he affirmeth) hath not only sowed Troubles and dissensions in France and Scotland; (The one their Neighbour upon the Continent; The other divided only by the Narrow Seas) But also hath actually invaded both Kingdomes. For as for the matters of the Low-Countries, they belong to the Dealings which have passed by Spain.

In Answer whereof it is worthy the Consideration how it pleased God in that King to cross one passion by another, and namely that passion which might have proved dangerous unto all Europe (which was Ambition) by another which was only hurtful to himself and to his own Which was Wrath and Indignation towards his Subjects the Netherlands. For after that he was settled in his Kingdom, and freed from some Fear of the Turk; Revolving his Fathers design in aspiring to a Monarchy of Europe, casting his Eye principally upon the two potent Kingdomes of France and England; And remembering how his Father had once promised unto himself the Conquest of the one; And how himself by Marriage had lately had some Possession of the other, and seeing that Diversity of Religion was entred into both these Realms; And that France was fallen unto Princes weak, and in Minority; and England unto the Government of a Lady, In whom he did not expect that Policy, of Government, Magnanimity and Felicity, which since he hath proved; Concluded (as the Spaniards are great Waiters upon Time, and ground their Plots deep) upon two Points: The one to profess an extraordinary Patronage and Defence of the Roman Religion making account thereby to have Factions in both Kingdomes (In England a Faction directly against the State; In France a Faction that did consent indeed in Religion with the King, and therefore at first shew should seem improper to make a party for a Forreiner. But he foresaw well enough that the King of France should be forced (to the end to retain Peace and Obedience) to yield in some things, to those of the Religion, which would undoubtedly alienate the Fiercy and more violent sort of Papists: Which preparation in the people added to the Ambition of the Family of Guise (which he nourished for an Instrument,) would in the end make a party for him against the State, as since it proved, and might well have done long before as may well appear by the mention of League and associations which is above 25. years old in France.

The other Point he concluded upon was; That his Low-Countries, was the aptest place both for Ports and Shipping; in respect of England; And for Situation in respect of France, having goodly Frontier Townes,

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upon that *Realm*; and joyning also upon *Germany* whereby they might receive in at pleasure any Forces of *Almaines*, to annoy and offend either *Kingdom*. The *Impediment* was the *Inclination* of the *People*, which receiving a wonderfull *Commodity* of *Trades* out of both *Realmes*, especially of *England*; And having been in ancient *League* and *Confederacy* with our *Nation*; And having been also *Homagers* unto *France*; He knew would be in no wise disposed to either *War*. Whereupon he resolved to reduce them to a *Martial Government*; Like unto that which he had established in *Naples*, and *Millain*; upon which suppression of their *Liberties* ensued the *Defection* of those *Provinces*. And about the same time, the *Reformed Religion* found entrance in the same *Countries*; So as the *King* enflamed with the *Resistance* he found in the first part of his *Platts*, and also because he might not dispense with his other *Principle* in yielding to any *Toleration* of *Religion*; And withal expecting a shorter work of it then he found; became passionately bent to *Reconquer* those *Countries*, wherein he hath consumed infinite *Treasure*, and *Forces*. And this is the true *Cause*, if a man will look into it, that hath made the *King* of *Spain* so good a *Neighbour*; Namely that he was so entangled with the *Wars* of the *Low-Countries* as he could not intend any other *Enterprize*. Besides in *Enterprising* upon *Italy*, he doubted first the *Displeasure* of the *See* of *Rome* with whom he meant to run a *Course* of strait *Conjunction*: Also he doubted it might invite the *Turk* to return. And for *Germany* he had a fresh *Example* of his *Father* who when he had annexed unto the *Dominions* which he now possesseth the *Empire* of *Almain* nevertheless sunk in that *Enterprize*: whereby he perceived that the *Nation* was of too strong a *Composition*, for him to deal withall: Though not long since by practise he could have been contented to snatch up in the *East* the *Countrey* of *Emden*. For *Portugal*, first the *Kings* thereof were good *Sons* to the *See* of *Rome*; Next he had no *Colour* of *Quarrel* or *pretence*; Thirdly they were *Officious* unto him: yet if you will believe the *Genuse* (who otherwise writeth much to the *Honour* and *Advantage* of the *Kings* of *Spain*) it seemeth he had a good mind to make himself a way into that *Kingdom* seeing that for that purpose (as he reporteth) he did artificially nourish the young *King* *Sebastian* in the *Voyage* of *Affrick*, expecting that overthrow which followed.

As for his *Intention* to warr upon the *Infidels* and *Turks*, it maketh me think what *Francis Guicciardine* a wise writer of *History* speaketh of his great *Grandfather*; making a *Judgement* of him as *Historiographers* use: That he did alwayes mask and veil his *Appetites* with a *Demonstration* of a *Devout* and *Holy Intention* to the *Advancement* of the *Church* and the *publick* good, His *Father* also when he received *Advertisement* of the *taking* of the *French King*, prohibited all *Ringings* and *Bonfires* and other *Tokens* of *Joy*, and said, *Those were to be reserved for Victories upon Infidels*; On whom he meant never to *War*. Many a *Cruzada* hath the *Bishop* of *Rome* granted to him and his *Predecessors* upon that *Colour* which all have been spent upon the *Effusion* of *Christian Blood*: And now this year the *Levies* of *Germans*, which should have been made under hand, for *France* were coloured with the *pretence* of *War*, upon the *Turk*; Which the *Princes* of *Germany* deservyng not onely brake the *Levies*, but threatened the *Commissioners* to hang the next that should offer the like *Abuse*: So that this *Form* of *Dissembling* is *Familiar* and as it were *Hereditary* to the *King* of *Spain*.

And as for his *Succours* given to the *French King*, against the *Protestants*

Observations upon a Libel, published, In Anno.

1592.

W

Observations upon a Libel, published, in Anno 1592

stants, he could not chuse but accompany the *Pernicious Counsels* which still he gave to the *French Kings* of breaking their *Edicts* and admitting of no *Pacification*, but pursuing their *Subjects* with *Mortal War* with some Offer of *Aides*; which having promised he could not but in some small Degree perform; whereby also the *Subject* of *France* (namely the *violent Papist*) was enured to depend upon *Spain*. And so much for the *King of Spains* proceedings towards other *States*.

Now for ours, And first touching the *Point* wherein he chargeth us to be the *Authors* of *Troubles* in *Scotland* and *France*: It will appear to any that have been well informed of the *Memories* of these *Affaires*; That the *Troubles* of those *Kingdoms* were indeed chiefly kindled by one and the same *Family* of the *Guise*: A *Family* (as was partly touched before) as particularly devoted now for many years together to *Spain* as the *Order* of the *Jesuites* is. This *House* of *Guise* having of late years extraordinarily flourished in the eminent *Virtue* of a few persons whose *Ambition* nevertheless was nothing inferiour to their *virtue*; But being of a *House* notwithstanding which the *Princes* of the *Bloud* of *France* reckoned but as *strangers* aspired to a *Greatness* more then *Civil* and proportionable to their *Cause* wheresoever they had *Authority*: And accordingly under *Colour* of *Consanguinity* and *Religion* they brought into *Scotland* in the year 1559. and in the Absence of the *King* and *Queen* *French Forces* in great numbers: whereupon the *Ancient Nobility* of that *Realm* seeing the imminent danger of Reducing that *Kingdome* under the *Tyranny* of *strangers* did pray (according to the good Intelligence between the two *Crowns*) her *Majesties* *Neighbourly forces*. And so it is true that the *Action* being very *Just* and *Honourable* her *Majesty* undertook it, expelled the *Strangers* and restored the *Nobility* to their *Degrees* and the *State* to *Peace*.

After when certain *Noble Men* of *Scotland* of the same *Faction* of *Guise* had during the *Minority* of the *King*, possessed themselves of his *Person* to the end to abuse his *Authority* many wayes; And namely to make a *Breach* between *Scotland* and *England*, her *Majesties Forces* were again in the year 1582. by the *Kings* best and truest *Servants* sought and required; And with the *Forces* of her *Majesty* prevailed so far as to be possessed of the *Castle* of *Edenburgh* the principal part of that *Kingdom*; which nevertheless her *Majesty* incontinently with all *Honour* and *Sincerity* restored; After she had put the *King* into good and faithfull *Hands*; And so ever since in all the *Occasions* of *Intestine Troubles*, whereunto that *Nation* hath been ever subject she hath performed unto the *King* all possible good *Offices* and such as he doth with all good affection acknowledge.

The same *House* of *Guise* under *Colour* of *Alliance* during the *Reign* of *Francis* the second and by the *Support* and *praise* of the *Queen Mother*; who desiring to retain the *Regency* under her own *Hands* during the *Minority* of *Charles* the ninth used those of *Guise* as a *Counterpoise* to the *Princes* of the *Bloud* obtained also great *Authority* in the *Kingdom* of *France*; whereupon having raised and moved *Civil Wars* under pretence of *Religion*; But indeed to enfeeble and depress the *Ancient Nobility* of that *Realm*; The contrary part being compounded of the *Bloud Royal* and the *Greatest Officers* of the *Crown*; opposed only themselves against their *Insolency* And to their *Aides* called in her *Majesties Forces* giving them for security the *Town* of *New-Haven*: which nevertheless, when as afterwards having by the *Reputation* of her *Majesties Confederation* made their *Peace* in *Effect* as they would themselves; They would without observing any *Conditions* that had passed have had it back again; Then indeed

indeed it was held by force, and so had been long but for the great Mortality, which it pleased God to send amongst our Men. After which time so far was her Majesty from seeking to sow or kindle new Troubles; As continually by the Solicitation of her Embassadors she still perswaded with the King, both Charles the 9th. and Hen. the 3d. to keep and observe their *Treaties of Pacification*, and to preserve their Authority by the Union of their Subjects: which Counsel if it had been as happily followed as it was prudently and sincerely given, France had been at this day a most Flourishing Kingdom which is now a Theater of Misery. And now in the end after that the Ambitious practices of the same house of Guise, had grown to that Ripeness, that gathering further strength upon the weakness and Misgovernment of the said King Hen. 3d. He was fain to execute the Duke of Guise without Ceremony at Blois: And yet nevertheless so many Men were imbarqued and engaged in that Conspiracy as the Flame thereof was nothing asswaged, but contrariwise that King Hen. grew distressed so as he was enforced to implore the Succors of England from her Majesty: Though no way interested in that Quarrel, nor any way obliged for any good offices she had received of that King, yet she accorded the same. Before the arrival of which Forces the King being by a Treacherous Jacobine murdered in his Camp near Paris, yet they went on and came in good time for the Assistance of the King which now Reigneth; The Justice of whose Quarrel together with the long continued Amity and good Intelligence, which her Majesty had with him, hath moved her Majesty from time to time to supply with great Aides; And yet she never by any demand urged upon him, putting into her Hands of any Town or Place. So as upon this that hath been said, let the Reader judge whether hath been the more just and Honourable proceeding, And the more free from Ambition and Passion, towards other States; That of Spain, or that of England? Now, let us examine the proceedings, reciprocal, betwene themselves.

Her Majesty, as her Commings to the Crown, found her Realm entangled with the Wars of France and Scotland her nearest Neighbours: which Wars were grounded only upon the Spaniards Quarrel. But in the pursuit of them had lost England the Town of Calice, Which from the 21. year of King Edward 3d. had been possessed by the Kings of England. There was a meeting near Burdeaux towards the end of Queen Maries Reign between the Commissioners of France Spain and England; and some overture of Peace was made: But broke off upon the Article of the Restoration of Calice. After Queen Maries Death the King of Spain thinking himself discharged of that Difficulty (though in honour he was no lesse bound to it then before) renewed the like Treaty, wherein her Majesty concurred: so as the Commissioners for the said Princes met at Chateau Cambrai near Cambray. In the proceedings of which Treaty, it is true that at the first the Commissioners of Spain for form and in Demonstration onely pretended to stand firm upon the Demand of Calice; but it was discerned indeed that the Kings meaning was after some Ceremonies and perfunctory Insisting thereupon to grow apart to a Peace with the French, excluding her Majesty; And so to leave her to make her own Peace, after her People had made his Wars. Which Covert Dealing being politickly looked into, her Majesty had reason being newly invested in her Kingdom, And of her own Inclination being affected to Peace; To conclude the same with such Conditions as she might: And yet the King of Spain in his Disimulation had so much Advantage as he was fain to do it in a Treaty apart with the French, whereby to

Observati-
on upon a
Libel, pub-
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Anno.
1592.

W

Observations upon a Libel, published, In Anno 1592

one that is not informed, of the *Counsels* and *Treaties* of *State*, as they passed, it should seem to be a *voluntary Agreement*, of her *Majesty*, whereto the *King* of *Spain*, would not be party, whereas indeed he left her no other choice, & this was the first *Assay* or *Earnest penny* of that *Kings* good affection to her *Majesty*.

About the same time when the *King* was solicited to renew such *Treaties*, and *Leagues* as had passed between the two *Crowns* of *Spain* and *England*, by the *Lord Cobham*, sent unto him, to acquaint him, with the *Death* of *Queen Mary*; And afterwards, by *Sir Thomas Chalinor* and *Sir Thomas Chamberlain*, successively, *Embassadors Resident* in his *Low Countries*: Who had orders divers times during their *Charge*, to make *Overtures* thereof, both unto the *King*, and certain *principal persons* about him, And lastly, those former *Motions* taking no effect; By *Viscount Mountacute* and *Sir Thomas Chamberlain*, sent unto *Spain* in the year 1565 no other *Answer* could be had or obtained of the *King*, but that the *Treaties* did stand in as good *Force* to all *Intents* as new *Ratification* cou'd make them. An *Answer* strange at that time, but very conformable to his *Proceedings* since; which belike even then were closely smothered in his own *Breast*. For had he not at that time, some hidden *Alienation* of *Mind*, and *Designe* of an *Enemy* towards her *Majesty*; So wise a *King* could not be ignorant, That the *Renewing* and *Ratifying* of *Treaties* between *Princes* and *States*, do add a great *Life* and *Force*, both of *Assurance* to the *parties* themselves, and *Countenance*, and *Reputation* to the *World* besides; And have for that cause been commonly and necessarily used and practised.

In the *Messige* of *Viscount Mountacute*, it was also contained, that he should crave the *Kings* *Counsel* and *Assistance*, according to *Amity* and good *Intelligence*, upon a *Discovery* of certain *pernicious Plots* of the *House* of *Guise*, to annoy this *Realme* by the way of *Scotland*: wherunto the *Kings Answer* was so *Dark* and so cold that nothing could be made of it; Till he had made an *Exposition* of it himself, by effects in the *express* *Restraint*, of *Munition* to be carried out of the *Low-Countries*, unto the *Sieg* of *Leith*. Because our *Nation* was to have supply thereof from thence. So as in all the *Negotiations* that passed with that *King*, still her *Majesty* received no satisfaction, but more and more suspicious, and *Bad Tokens* of evil affection.

Soon after, when upon that *Project*, which was disclosed before the *King* had resolved to disanul the *Liberties* and *Priviledges* unto his *Subjects* the *Netherlands* anciently belonging; And to estab'ish amongst them a *Marshall Government* which the *People* being very wealthy and inhabiting *Towns* very strong and *Defensible* by fortifications both of *Nature* and the hand could, not endure there followed the *Defection* and *revolt* of those *Countries*. In which *Action* being the greatest of all those which have passed between *Spain* and *England*, the proceeding of her *Majesty* hath been so just and mingled with so many *Honourable* *Regards* as nothing doth so much clear and acquit her *Majesty* not only from *passion* but also from all dishonourable policy. For first at the beginning of the *Troubles* she did impart unto him faithfull and sincere advise of the *Course*, that was to be taken for the quieting and appeasing them, And expressly forewarned both himself and such as were in *principal Charge* in those *Countries* during the *Wars* of the danger like to ensue if he held so heavy a hand over that people; lest they should cast themselves into the *Arms* of a *Stranger*. But finding the *Kings* mind so exulcerate as he rejected all *Counsel* that tended to *Mild* and *Gracious* proceeding, her *Majesty* nevertheless gave not over her *Honourable* *Resolution* which was if it were possible to reduce and reconcile those *Countries* unto the obedience of their *Natural Sovereign* the *King* of *Spain*: And if that might not be, yet to preserve them from alienating themselves to a

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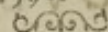
Observati-
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Libel, pub-
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Anno 1592

Forrain Lord as namely unto the *French* with whom they much treated; And amongst whom the *Enterprise of Flanders*, was ever propounded as a Meane to unite their own Civil Dissensions) But patiently temporising expected the good effect which Time might breed, And whensoever the *States* grew into Extremities of Despair and thereby ready to embrace the Offer of any *Forrainger*; Then would her Majesty yield them some Relief of Money or permit some Supply of Forces to go over unto them; To the end to interrupt such violent Resolution: And still continued to mediat unto the King some Just and Honourable Capitulations of Grace and Accord, such as whereby alwayes should have been preserved unto him such Interest and Authority as he in Justice could claim; Or a Prince moderately minded would seek to have. And this Course she held interchangeably seeking, to mitigate the Wrath of the King and the Despair of the Countries, Till such Time as after the Death of the Duke of *Anjou*, (into whose Hands according to her Majesties Prediction, but against her good liking they had put themselves) The Enemy pressing them, the united *Provinces* were received into her Majesties Protection: which was after such Time, as the King of *Spain* had discovered himself, not only an Implacable Lord to them, but also a professed Enemy unto her Majesty; having actually invaded *Ireland* and designed the Invasion of *England*. For it is to be noted, that the like Offers which were then made unto her Majesty; had been made to her long before, but as long as her Majesty conceived any Hope either of making their Peace; Or enertaining her own with *Spain* she would never hearken thereunto. And yet now even at last her Majesty retained a singular and evident Proof to the World of her Justice and Moderation; In that she refused the Inheritance and Sovereignty of those Goodly Provinces, which by the States with much Instance was pressed upon her, and being accepted would have wrought greater Contentment and Satisfaction both to her People and theirs, being Countries for the Site, Wealth, Commodity of Traffick, Affection to our Nation; Obedience of the Subjects (well used) most convenient to have been annexed to the Crown of *England*; and with al one Charge, Danger and Offence of *Spain*, onely took upon her the Defence and Protection of their Liberties: which Liberties and Priviledges are of that Nature as they may justly esteem themselves but Conditional Subjects to the King of *Spain*; More justly then *Aragon*: And may make her Majesty as justly esteem the ancient Confederacies and Treaties with *Burgundy* to be of Force rather with the People and Nation than with the Line of the Duke, because it was never an Absolute Monarchy. So as to summ up her Majesties proceedings in this great Action, they have but this that they have fought first to restore them to *Spain*, then to keep them from Strangers, and never to purchase them to her Self.

But during all that time the King of *Spain* kept one tenour in his proceedings towards her Majesty, breaking forth more & more into Injuries & contempts: Her Subjects trading into *Spain* have been many of them burned, some cast into the Gallies, others have died in Prison without any other crimes committed, but upon quarrels pickt upon them for their Religion here at home. Her Merchants at the Sack of *Antwerp* were divers of them spoyled and put to their Ransomes though they could not be charged with any part-taking, neither upon the complaint of *Doctor Wilson* and *Sir Edward Husey* could any redress be had. A general Arrest was made by the Duke of *Alva* of Englishmens both goods and persons, upon which pretence that certain Ships staid in this Realm, laden with Money

Observations upon a Libell published in Anno.

1592.



goods & Money of certain Merchants of Geneva belonged to that King: which Money and Goods was afterwards to the uttermost value restored and paved back: Whereas our men were far from receiving the like Justice on their side. Doctor Man her Majesties Embassador, received during his Legation, sundry Indignities, himself being removed out of Madrid, and Lodged in a Village, As they are accustomed to use the Embassadors of Moores: His Son and Steward forced to assist at Mass with papers in their Hands; Besides sundry other Contumelies and Reproaches. But the spoiling or damnifying of a Merchant, vexation of a Common Subject; Dishonour of an Embassador: Were rather bare Demonstrations of ill Disposition then Effects; If they be compared with Actions of State: Wherein he and his Ministers have sought the overthrow of this Government: As in the year 1569. when the Rebellion in the North part of England brake forth Who but the Duke of Alva (then the Kings Lieutenant in the Low Countries) and Don Guerres of Escue, then his Embassador Liege here were discovered to be chief Instruments and praisers, having consorted with the Duke of Norfolk at the same time, as was proved at the same Dukes Condemnation, that an Army of 20000 Men should have landed at Harwich in aid of that part, which the said Duke had made within the Realm and the said Duke having spent and employed 150000 Crowns in that preparation.

Not contented thus to have consorted and assisted her Majesties Rebels in England, He procured a Rebellion in Ireland: Arming and sending thither in the year 1579. an Arch Rebel of that Country James Fitz Maurice, which before was fled: And truly to speak the whole course of molestation, which her Majesty hath received in that Realm by the King and keeping on of the Irish, hath been nourished and fomented from Spain, but afterwards most apparently in the year 1580. he invaded the same Ireland, with Spanish Forces under an Italian Colonel by Name San Jsscho, being but the Fortunners of a greater Power: Which by Treaty betweene Him and the Pope could have followed: But that by the speedy Defeat of those forces, they were discouraged to pursue the Auld: Which Invasion was proved to be done by the Kings own Order: both by the Letters of Secretary Escue, and of Guerres to the King: and also by divers other Letters, wherein the particular Conferences were set down concerning this Enterprize betweene Cardinal Riaris the Pops Legate and the Kings Deputy in Spain, touching the General the Number of Men the Contribution of Money, and the manner of the Prosecuting of the Action: and by the Confession of some of the Chiefs of those that were taken Prisoners at the Fort, which Act being an Act of Apparent Hostility added unto all the Injuries aforesaid: and accompanied with a continual Receipt Comfort and Countenance by Audiences, Pensions, and Emphyments, which he gave to Traitors and Fugitives, both English and Irish; As Westmerland, Paget, Englefield, Balinglaff, and Numbers of others did sufficiently justify and warrant that pursuit of Revenge, which (either in the Spies of Carthage and San Domingo in the Indies, by Mrs Drake, or in the undertaking the protection of the Low Countries, as the Earl of Leicester was sent over) afterwards followed. For before that time her Majesty though she stood upon her Guard in respect of the just Cause of Jealousie, which the sundry Injuries of that King gave her, yet had entered into no Offensive Action against him. For both the Voluntary Forces which Don Antonio had collected in this Realm, were by expresse commandement restrained and offer was made of Restitution to the Spanish Embassador of such Treasures as had been brought into this Realm upon

upon Proof that it had been taken by wrong; And the Duke of Anjou was (as much as could stand with the near Treaty of a Marriage which then was very forward between her Majesty and the said Duke) Diverted from the Enterprize of Flaunders.

But to conclude this Point, when that some years after the Invasion and Conquest of this Land; Intended long before, but through many Crosses, and impediments, which the King of Spain found in his Plots deferred, was in the year 1588, attempted; Her Majesty not forgetting her own Nature, was content at the same Instant to Treat of a Peace, not ignorantly, as a Prince that knew not in what forwardness his preparations were (For she had discovered them long before) Nor fearfully as may appear by the Articles whereupon her Majesty in that Treaty stood which were not the Demands of a Prince afraid; But onely to spare the shedding of Christian Blood, and to shew her constant Desire to make her Reion Renowned, rather by Peace than Victories: which Peace was on her part treated sincerely, but on his part (as it should seem) was but an Abuse; Thinking thereby to have taken up more unprovided: So that the Duke of Parma not liking to be used as an Instrument in such a Case in regard of his particular Honour would sometimes in Treating interlace That the King his Master, ment to make his Peace with his Sword in his Hand. Let it then be tryed upon an indifferent view of the proceedings of England and Spain: Who it is that Elisabeth in Troubled Wars; And hath disturbed the Peace of Christendome, and hath written and described all his Plots in Blood.

There follow the Articles of an universal Peace, which the Libeller as a Commissioner for the Estate of England, hath propounded and are these.

First that the King of Spain should recal such Forces as of great compassion to the Natural People of France he hath sent thither to defend them against a relapsed Hugonot.

Secondly that he suffer his Rebels of Holland and Zeland quietly to possess the places they hold, and to take unto them all the rest of the Low-Countries also, conditionally that the English may still keep the possession of such Port Towns as they have, and have some half a dozen more annexed unto them.

Thirdly, that the English Rovers might peaceably go to his Indies And there take away his Treasure and his Indies also.

And these Articles being accorded (he saith) might follow that Peace which possesseth all understanding, as he calleth it in a scurrile and prophane Mockry of the Peace which Christians enjoy with God, by the Attonement which is made by the Blood of Christ, whereof the Apostle saith that it possesseth all understanding: But these his Articles are sure mistaken, and indeed corrected are briefly these:

1. That the King of France be not impeached in Reducing his Rebels to obedience.
2. That the Netherlands be suffered to enjoy their Ancient Liberties and Priviledges, and so Forces of Strangers to be withdrawn both English and Spanish.
3. That all Nations may trade into the East and West Indies, yea discover and occupy such parts as the Spaniards doth not actually possess, and are not under Civil Government, notwithstanding any Donation of the Pope

4. Of

Observations upon a Libel, published In Anno 1592

Observations upon a
Libell. published In
Anno.
1592.

5. Of the Cunning of the Libeller in Palliation of his malicious Invectives against her Majesty, and the State, with pretence of Taxing onely the Actions of the Lord Burghley.

I Cannot rightly call this Point *Cunning in the Libeller*, but rather good will to be *Cunning* without skill indeed or Judgement: For finding that it had been the usual and ready practise of *seditions Subjects* to plant and bend their Invectives, and Clamours, Not against the *Sovereigns* themselves, but against some such as had *Grace* with them, and *Authorities* under them: He put in use his Learning in a wrong and improper Case. For this hath some appearance to cover undutifull *Invectives*, when it is used against *Favourites* or *New Upstarts* and suddain risen *Counsellors*: But when it shall be practised against One that hath been *Counsellor*, before her *Majesties* Time; And hath continued longer *Counsellor* than any *Counsellor in Europe*; One that must needs have been Great if it were but by Surviving alone, though he had no other *Excellency*; One that hath passed the *Degrees* of *Honour*, with great *Travel*, and long time, which quencheth alwayes *Envy*, except it be joyned with extreme *Malice*; Then it appeareth manifestly to be but a *Brick-wal at Tennis* to make the *Defamation* and *Hatred* rebound from the *Counsellor* upon the *Prince*. And assuredly they be very simple to think to abuse the *World* with those *Shifts*; Since every *Child* can tell the *Fable* That the *Wolfs* malice was not to the *Shepherd*, but to his *Dog*. It is true that these Men have altered their *Tune* Twice or thrice: when the *Match* was in *Treating* with the *Duke of Anjou* they speak *Honey* as to her *Majesty*, All the *Gall* was uttered against the *Earl of Leicester*. But when they had gotten *Heart* upon the Expectation of the *Invasion*, they changed stile and disclosed all the *Venime* in the *World* immediately against her *Majesty*: what new *Hope* hath made them return to their *Sinons Note*, in teaching *Troy* how to save it self I cannot tell. But in the mean time they do his *Lordship* much *Honour*: For the more despitefully they inveigh against his *Lordship*, the more Reason hath her *Majesty* to trust him, and the *Realm* to honour him. It was wont to be a Token of scarce a good *Leidgeman* when the *Enemy* spoiled the *Country* and left any particular mens *Houses* or *Fields* unwasted.

6. Certain true general Notes upon the Actions of the Lord Burleigh.

BUT above all the rest, it is a strange Fancy in the *Libeller* that he maketh his *Lordship* to be *Primum Mobile* in every Action without Distinction that to him her *Majesty* is *Accomptant* of her *Resolutions*. That to him the *Earl of Leicester* and *Mr. Secretary Walsingham*, both Men of great Power, and of great wit and understanding, were but as *Instruments* whereas it is well known, that as to her *Majesty* there was never a *Counsellor* of his

his Lordships long Continuance that was so applyable to her Majesties Princely Resolutions; Endeavouring alwayes after Faithful Propositions and Remonstrances; and these in the best words, and the most Grateful manner, to rest upon such Conclusions, as her Majesty in her own wisdom determined, and them to execute to the best: So far hath he been from Contestation or drawing her Majesty into any his own Courses. And as for the forenamed Counsellors and others, with whom his Lordship hath consorted in her Majesties service it is rather true that his Lordship out of the greatness of Experience, and Wisdom; And out of the Coldness of his Nature, hath qualified generally all hard and Extreame Courses, as far as the Service of her Majesty, and the safety of the State, and the making himself compatible with those with whom he served would permit. So far hath his Lordship been from inciting others, or running a full Course with them in that kind. But yet it is more strange that this Man should be so absurdly Malitious, as he should charge his Lordship, not onely with all Actions of State but also with all the Faults and Vices of the Times; As if curiosity and Emulation have bred some Controversies in the Church, Though, (thanks be to God) they extend but to outward Things; As if Wealth, and the Cunning of Wits have brought forth Multitudes of Suits in Law; As if Excess in Pleasures and in Magnificence joyned with the unfaithfulness of Servants, and the Greediness of monied men have decayed the Patrimony of many Noblemen, and others; That all these and such like Conditions of the Time should be put on his Lordships account; who hath been as far as to his Place appertaineth, a most Religious and Wise moderator in Church matters, to have unity kept who with great Justice hath dispatched infinite Causes in Law, that have orderly been brought before him; And for his own Example may say that, which few men can say, but was sometime said by Cephelus the Athenian so much Renowned in Plato's Works; who having lived near to the age of an 100. years; And in continual affairs and Business, was wont to say of himself; That he never sued any, neither had been sued by any: Who by reason of his Office hath preserved many Great Houses from Overthrow, by relieving sundry Extremities towards such as in their minority have been circumvented; And towards all such as his Lordship might, advise, did ever perswade sober and limited expence. Nay, to make Proof further of his Contented manner of life, free from Suits and covetousness, as he never sued any man, so did he never raise any Rent, or put out any Tenant of his own; Nor ever gave consent to have the like done to any of the Queens Tenants; Matters singularly to be noted in this Age.

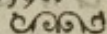
But however, by this Fellow, as in a False Artificial Glass which is able to make the best Face Deformed, his Lordships doings be set forth, yet let his Proceedings (which be indeed his own) be indifferently weighed and considered; and let men call to mind that his Lordship was never a violent and Transported man in matters of State, but ever Respective and moderate; that he was never man in his particular a Breaker of Necks, no heavy Enemy, but ever Placable and mild; That he was never a Brewer of Holy water in Court, no Daller, no Abuser, but ever Real and Certain; That he was never a Bearing man, nor Carrier of Causes, but ever gave way to Justice and Course of Law; That he was never a Glorious wilful proud man, but ever Civil and Familiar, and good to deal withal; That in the Course of his Service, he hath rather sustained the Burthen, then sought the Fruition of Honour or profit; Scarcely sparing any time from his Cares and Travels, to the Sustentation of his Health; That he never had, nor sought

Observations upon a Libel published in Anno 1592

W

Observations upon a Libell published In Anno.

1592.



to have for himself and his Children any Penny-worth of Lands or Goods that appertained to any attained of any *Treason*, *Felony*, or otherwise, that he never had or sought any kind of *Benefit* by any *Forfeiture* to her Majesty; That he was never a *Faction* *Commender* of Men as he that intended any waies to besiege Her, by bringing in men at his Devotion; But was ever a true Reporter unto her Majesty of every mans *Deserts* and *Abilities*, that he never took the Course to unquiet or offend, no nor exasperate her Majesty, but to content her mind, and mitigate her Displeasure; That he ever bare himself reverently and without *Scandal* in matters of *Religion* and without blemish in his *Private course of Life*, Let men I say without passionate malice call to mind these things, and they would think it reason that though he be not *canonized* for a *Saint in Rome*, yet he is worthily celebrated as *Pater Patrie in England*, and though he be Libelled against by *Fugitives*, yet he is prayed for by a multitude of good Subjects and lastly though he be envied whilest he liveth, yet he shall be deeply wanted when he is gone. And assuredly many Princes have had many Servants of *Trust*, *Name*, and *sufficiency*; But where there have been great parts, there hath often wanted *Temper of Affection*; Where there have been both *Ability* and *moderation*, there have wanted *Diligence* and *love of Travel*, where all three have been, there have sometimes wanted *Faith* and *Sincerity*, where some few have had all these four, yet they have wanted *Time* and *Experience*: But where there is a *Concurrence* of all these there is no no marvel though a *Prince of Judgement* be constant in the *Employment* and *Trust* of such a *Servant*.

7. Of divers particular Vntruths and Abuses dispersed through the Libel.

THE Order which this man keepeth in his Libel is such as it may appear that he meant but to empty some *Note Book* of matters of *England*, To bring in (whatsoever came to it) a Number of Idle Jests which he thought might fly abroad and intended nothing less than to clear the matters be handled by the *Light of Order* and *distinct writing*. Having therefore in the *principal points* namely the second, third, and fourth Articles, ranged his scattering and wandring Discourse into some *Order* such as may help the Judgement of the Reader, I am now content to gather up some of his By-matters and stragling Untruths and very briefly to censure them.

Pag. 9. he saith, That his Lordship could neither by the Greatness of his Beades, creeping to the Cross, nor exterior shew of devotion before the high Altar, find his entrance into high Dignity in *Queen Maries Time*. All which is a meer *Fiction* at pleasure: For *Queen Marie* bare that respect unto him in regard of his constant standing for her Title, that she desired to continue his Service; The Refusal thereof growing from his own part: He enjoyed nevertheless all other Liberties and Favours of the time save only that it was put in the *Queens head* that it was dangerous to permit him to go beyond the Sea, because he had a great Wit of *Action*, and had served in so principal a place which nevertheless after with *Card. Pool* he was suffered to do.

Pag. Eadem he saith, *Sir Nich. Bacon*, that was Lord Keeper was a Man of exceeding

exceeding crafty wit; Which sheweth that this Fellow in his Slauers is no good Marks-man, but throweth out his Words of Defaming without all Level. For all the World noted Sir Nich. Bacon to be a Man Plain, direct and Constant, without all Fineness and Doubtfulness; And one that was of the mind that a Man in his private Proceedings and Estate, and in the proceedings of State should rest upon the Soundness and Strength of his own Counsels, and not upon Practise to Circumvent others, according to the Sentence of Solomon; *Vir Prudens advertit ad Gressus suos, stultus autem divertit ad Dolos*: Inasmuch that the Bishop of Ross a Subtile and Observing Man said of him; That he could fasten no words upon him, and that it was impossible to come within him, because he offered no play. And Queen Mother of France, a very politick Princess said of him; That he should have been of the Council of Spain, because he despised the Occurrents and rested upon the First Plot; So that if he were Crafty, it is hard to say who is wiser.

Pag. 10. he saith, That the Lord Burleigh in the Establishment of Religion in the beginning of the Queens Time, prescribed a Composition of his own Invention; Whereas the same Form not fully six years before, had been received in this Realm in King Edwards Time: So as his Lordship being a Christian politick Counsellor, thought it better to follow a Presaent, than to innovate; And chose the President rather at Home than Abroad.

Pag. 41. he saith, That Catholics never attempted to murder any principal person of her Majesties Court, as did Burchew, (whom he calleth a Puritan) in wounding of a Gentleman instead of Sir Christopher Hatten; But by their great Vertue, modesty, and Patience, do manifest in themselves, a far different Spirit from the other Sort. For Burchew it is certain he was Mad; as appeareth not onely by his Mad Mistaking, but by the violence that he offered after to his Keeper; And most evidently by his behaviour at his Execution: But of Catholics (I mean the Traiterous sort of them) a Man may say as Cato said sometimes of Caesar; *Eum ad evertendam Rem. sobrium accessisse*: They came sober and well advised to their Treasons and Conspiracies; And Commonly they look not so low as the Counsellors, but have bent their murderous Attempts, immediately against her Majesties sacred person (Which God have in his precious Custody) as may appear by the Conspiracy of Somerville, Parry, Savadge, the Six, and others Nay they have defended it in Thesis, to be a Lawfull Act.

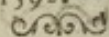
Pag. 43. he saith, that his Lordship whom he calleth the Arch-Politick, hath fraudulently provided, that when any Priest is arraigned, the Indictment is enforced with many odious Matters: Wherein he sheweth great Ignorance if it be not Malice: For the Law permitteth not the Ancient Formes of Indictments to be altered; Likeas in an Action of Trespass, although a Man take away anothers Goods in the peaceablest manner in the World, yet the Writ hath *Quare vi & Armis*; And if a Man enter upon anothers Ground and do no more, the Plantife mentioneth *Quod Herbam suam ibidem crescentem, cum Equis, Bovis, porcis, & Bidentibus, depastus sit, conculeavit & consumpsit*. Neither is this any Absurdity; For in the practise of all Law, the Formularies have been Few and Certain; And not varied according to every Particular Case. And in Indictments also of Treason, it is not so far fetched, as in that of Trespass; For the Law ever presumeth in Treason, an Intention of subverting the State, and Impeaching the Majesty Royal.

Pag. 45. and in other places, speaking of the persecuting of the Catholics, he

Observations upon a Libel, published in Anno 1592

Observations upon a Libell published In Anno.

1592.



still mentioneth Bonellings and consuming Mens Entrails by Fire, As if this were a Torture newly devised; Wherein he doth Cautelously and Maliciously suppress that the Law and Custom of this Land from all Antiquity hath ordained that punishment in Case of Treason and permitteth no other. And a Punishment surely it is thought of great Terrour, yet by reason of the quick Dispatching of less Torment far then either the Wheele or Forcipation, yea than Simple Burning.

Page 48. he saith England is confederate with the Great Turk, wherein if he mean it because the Merchants have an Agent in Constantinople, How will he answer for all the Kings of France since Francis the First, which were good Catholics? For the Emperor? for the King of Spain himself? for the Senate of Venice, and other States, that have had long time Embassadors Liedgers in that Court? If he mean it because the Turk hath done some special Honour to our Embassador (if he be so to be termed) we are beholding to the King of Spain for that; For that the Honour we have won upon him by Opposition, hath given us Reputation through the World: If he mean it because the Turk seemeth to affect us for the Abolishing of Images; Let him consider then what a Scandal the Matter of Images hath been in the Church: as having been one of the principal Branches whereby Mahumetisme entred.

Page 65. he saith, Cardinal Allen was of late very neer to have been elected Pope. Whereby he would put the Catholics here in some hope, that once within Five or Six years (For a Pope commonly sitteth no longer) he may obtain that which he missed narrowly. This is a direct Abuse; For it is certain in all the Conclaves since Sixtus Quintus who gave him his Hat, he was never in possibility: Nay the King of Spain that hath patronized the Church of Rome so long as he is become a right Patrone of it; In that he seeketh to present to that See whom he liketh; yet never durst strain his Credit to so desperate a Point as once to make a Canvass for him: No, he never nominated him in his Inclusive Narration. And those that know any thing, of the Respects of Conclaves know that he is not Papable; First because he is an Ultramontane, of which sort, there hath been none these Fifty years: Next, because he is a Cardinal of Almes of Spain, and wholly at the Devotion of that King, thirdly because he is like to employ the Treasure and Favours of the Popedom upon the Enterprises of England, and the Relief and Advancement of English Fugitives, his Necessitous Countrymen; So as he presumed much upon the Simplicity of the Reader in this point as in many more.

Page 55. and again Page 70. he saith; His Lordship (meaning the Lord Burleigh) Intendeth to match his Grandchild Mr. William Cecil with the Lady Arbella. Which being a meet Imagination without any Circumstance at all to enduce it; More then that they are both unmarried; And that their years agree well needeth no answer. It is true that his Lordship being no Stoical Unnatural Man, but loving towards his Children; For Charitas Reip. incipit à Familia) Hath been glad to match them into Honourable and good Blood; And yet not so, but that a private Gentleman of Northamptonshire that lived altogether in the Countrey, was able to bestow his Daughters higher than his Lord hath done. But yet it is not seen by any thing past, that his Lordship ever thought or affected to match his Children in the Blood Royal: His Lordships Wisdom which hath been so long of gathering, teacheth him to leave to his Posterity rather Surety then Danger. And I marvel where be the Combinations which have been with Great Men: And the Popular and Plausible Courses, which

which ever accompy such designes, as the *Libeller* speaketh of: And therefore this *Match* is but like unto that which the same *Fellow* concluded between the same *Lady Arbella* and the *Earl of Lecesters Son* when he was but a twelve Moneth old.

Pag. 70. he saith, he laboureth incessantly with the *Queen* to make his *Eldst son Deputy of Ireland*. As if that were such a Catch, Considering all the *Deputies* since her *Majesties* time (except the *Earl of Suffex* and the *Lord Grey*) have been persons of meaner Degree then *Sir Thomas Cecil* is And the most that is gotten by that place, is but the Saving and putting up of a mans own Revenues, during those years that he serveth there; And this perhaps to be saved with some *Displeasure* at his *Return*.

Pag. eadem he saith; He hath brought in his *Second Son Sir Roberts Cecil* to be of the *Counsel* who hath neither *Wit nor Experience*, Which Speech is as notorious an untruth as is in all the *Libell*: For it is confessed by all Men that know the *Gentleman* that he hath one of the Rarest and most Excellent *Wits* of *England*, with a singular Delivery and Application of the same; whether it be to use a Continued Speech, Or to Negotiate or to touch in Writing, or to make Report or discreetly to consider of the Circumstances and aptly to dram things to a point, and all this joyned, with a very good Nature and great respect to all Men, as is daily more and more revealed. And for his experience it is easie to think that his *Trayning* and helps hath made it already such as many as served long *mentis*hood for it, have not attained the like: So as if that be true; *Qui beneficium Digno dat omnes obligat*; Nor his *Father* only, but the *State* is bound unto her *Majesty*, for the choice and employment of so sufficient and worthy a *Gentleman*.

There be many other Follies and absurdities in the Book: which if an *Eloquent Schollar* had it in Hand, he would take advantage thereof and justly make the *Author* not onely Odious but Ridiculous and Contemptible to the *World*. But I pass them over, and even this which hath been said hath been vouchsafed to the vallue, and *Worth of the Matter*, and not the *worth of the Writer*; who hath handled a *Theam* above his *Compass*.

8. Of the Heigth of Impudency that these Men are grown unto in publishing and avouching untruths, with a particular Recital of some of them for an Assay.

These Men are grown to a singular Spirit and Faculty in Lying and Abusing the world, such as it seemeth although they are to purchase a particular *Dispensation* for all other Sins; yet they have a *Dispensation Dormant* to lie for the *Catholique Cause*, which moveth me to give the Reader a Taste of their *Untruth*, such as are written and are not meerely gross and palpable, desiring him out of their own writings, when any shall fall into his Hands, to encrease the Rowle at least in his own Memory.

We retain in our *Calenders* no other *Holy-dages* but such as have their *Memorials* in the *Scriptures*: And therefore in the Honour of the *Blesed Virgin*, we onely receive the Feasts of the *Annunciation* and the *Purification*;

Observations upon a Libell published, in Anno. 1592.

Observati-
ons upon a
Libel, pub-
lished, In
Anno 1592

tion; Omitting the other of the Conception and the Nativity; which Na-
tivity was used to be celebrated upon the 8th. of September, the Vigil where-
of hapned to be the Nativity of our Queen: which though we keep not
as Holy, yet we use therein certain Civil Customes of joy and Gratulation; As
Ringing of Bells, Bonfires and such like; And likewise make a Memorial of
of the same Day in our Calender: whereupon they have published; That
we have expunged the Nativity of the blessed Virgin, and put in stead thereof
the Nativity of our Queen. And further that they certain Hymnes unto her,
used to be sung unto our Lady.

It happened, that upon some Bloud-shed in the Church of Pauls accor-
ding to the Canon Law, yet with us in force, the said Church was in-
terdicted, and so the Gates shut up for some few Dayes, whereupon they
published that because the same Church is a place where People use to
meet to walk and confer, the Queens Majesty after the manner of the An-
cient Tyrants, had forbidden all Assemblies and meetings of People to-
gether; And for that Reason upon extreme Jealousie did cause Pauls
Gates to be shut up.

The Gate of London called Lud-Gate being in decay was pulled down;
And built anew: And on the one side was set up the Image of King Lud
and his two Sons; who according to the Name was thought to be the
first Founder of that Gate: And on the other side the Image of her Maje-
sty, in whose time it was reedified: whereupon they published that her
Majesty after all the Images of the Saints were long beaten down, had now
at last set up her own Image upon the principal Gate of London, to be adored,
and all men were forced to do reverence to it as they passed by, and a watch
there placed for that purpose.

Mr. Jewel the Bishop of Salisbury; who according to his Life died most
godly and patiently; At the Point of Death used the Versicle of the Hymne
Te Deum, *Oh Lord in thee have I trusted, let me never be confounded;*
Whereupon suppressing the rest, they published, that the principal Cham-
pion of the Hereticks in his very last words cryed he was confounded.

In the Act of Recognition of primo, whereby the Right of the Crown is ac-
knowledgeed by Parliament to be in her Majesty (The like whereof was used
in Queen Maries time) The words of Limitation are, In the Queens Maje-
stie, and the Natural Heirs of her Body, and her lawfull Successors. Upon
which word (Natural) they do maliciously and indeed villanously gloss
That it was the Intention of the Parliament in a Cloud to convey the Crown,
to any Issue of her Majesties that were Illegitimate; Whereas the word
(Heire) doth with us so necessarily and pregnantly import Lawfulness; as it had
been, *Indecorum* and *uncivil* speaking of the Issues of a Prince to have expessed it.

They set forth in the year a Book with Tables and Pictures of the
Persecutions against Catholiques; Wherein they have not onely stories of 50.
years old to supply their Pages, But also taken all the persecutions of
the Primitive Church, under the Heathen, and translated them to the practise
of England. As that of Worshipping Priests under the Skins of Bears; by Dogs;
and the like.

I conclude then that I know not what to make of this Excess in Avouch-
ing untruths, save this: That they may truly Chaunt in their Quires; *Linguam
nostram magnificabimus, Labia nostra nobis sunt*: And that they have long ago;
forsaken the truth of God which is the Touchstone much now hold by the Whet-
stones; And that their Ancient Pillar of Lying wonders being decayed they must
now hold by lying slanders and make their Libels successors to their Legend.



A TRUE
REPORT,
Of the detestable
TREASON,

INTENDED
By Doctor RODERIGO LOPEZ,
A Physician attending upon the Person
Of the QUEENS MAJESTY

Whom He for a Sum of Money, promised to be paid
him by the King of Spain, did undertake to have destroyed
by Poison; with certain Circumstances, both of the
Plotting and Detecting the same TREASON.
Penned during the Queens Life.

He King of Spain having found by the Enterprize of 88. the
Difficulty of an Invasion of England; And having also since
that time embraced the Matters of France (being a De-
sign of a more easie nature, and better prepared to his hand)
hath of necessity for a time layed aside the Prosecution of
his Attempts against this Realm by open Forces, as
knowing his Means unable to wield both Actions at once,
as well that of England as that of France. And therefore,
casting at the Fairest, (hath in a manner) bent his whole strength upon
France making in the mean time onely a Defensive War upon the Low-
Countries. But finding again, that the Supports and Aids which her Ma-
jesty hath continued to the French King are a principal Impediment
and Retardation to his prevailing there according to his Ends, he hath
now of late by all means projected to trouble the Waters here and to cut
us out some work at home; That by practise without Diverting and Em-
ploying any great Forces, he might neverthelss divert our Succours from
France.

According to which purpose he first proved to move some Innovation in
Scotland.

Scotland, not so much in hope to alienate the King from the Amity of her Majesty, as practizing to make a party there against the King himself: Whereby he should be compelled to use her Majesties Forces for his Assistance. Then he solicited a Subject within this Realm (being a Person of great Nobility) to rise in Arms and levy War against her Majesty, which practise was by the same Noblesman loyally and prudently revealed, and lastly, (rather (as it is to be thought) by the Instigation of our Traiterous Fugitives in Forrain parts, and the corrupter sort of his Counsellours, and Ministers, then of his own nature, and Inclination) either of himself or his said Counsellours and Ministers using his name, have descended to a course against all Honour all Society and humanity, Odious to God and man, detested by the Heathen themselves which is to take away the Life of her Majesty (which God have in his precious Custody) by violence or poyson. A matter which might be proved to be not only against all Christianity and Religion, but against Nature, the Law of Nations, the Honour of Armes, the Civil Law, The Rules of Morality and Policy: Finally to be the most condemned, Barbarous, and Ferine Act that can be imagined: yea, (supposing the Quarrels and Hostility, betweene the Princes to be never so Declared and so Mortal) yet were it not that it would be a very Reproach unto the Age, that the matter should be once disputed or called in question, it could never be defended. And therefore I leave it to the Censure which Titus Livius giveth in the like case upon Perses the last King of the Macedons, afterwards overthrown, taken with his Children, and led in Triumph by the Romans. *Quem non iustum Bellum grave Regio Animis à per omnia clandestina grassari scelera, Latrociniorum ac venustiorum, cernebant.*

But to proceed, certain it is, that even about this present time, there have been suborned and sent into this Realm, divers persons, some English, some Irish, corrupted by money, and Promises, and resolved and Conjur'd by Priests in Confession to have executed that most wretched and horrible Fact: Of which Number certain have been taken and some have suffered, and some are spared because they have with great sorrow confessed these Attempts, and detested their Suborners. And if I should conjecture what the reason is why this cursed enterprise was at this time so hotly, and with such diligence pursued, I take it to be chiefly because the Matters of France was ripe, and the King of Spain made himself ready to unmask himself, and to reap that in France, which he had been long in sowing, in regard that there being like to be a Divulsion in the League by the Reconciliation of some of the Heads to the King, the more passionate sort being destituted by their Associates, were like to cast themselves wholly into the King of Spains Arms, and to dismember some important piece of that Crown, though now upon this fresh accident Receiving of the King into Paris it is to be thought that both the worst affected of the League will submit themselves upon any tolerable Conditions to their Natural King thus advanced in strength and Reputation, and the King of Spain will take a second Advise ere he embarque himself too far in any new Attempt against France. But taking the Affaires, as they then stood before this Accident unexpected, Especially of the Council of Spain, during this his supposed Harvest in France; His Counsel had reason to wish that there were no Disturbance from hence, where they make account that if her Majesty were removed (upon whose person God continue his extraordinary Watch and Providence) here would be nothing but Confusion, which they do not doubt but with some no great Treasure, and Forces from without, may be nourished till they can more fully intend the Ruine of this State according to their ancient malice.

But

But howsoever that be, amongst the number of these execrable Undertakers, there was none so much built and relied upon by the Great Ones of the other side, as was this *Physitian Lopez*; not (indeed) none so dangerous: whether you consider the aptness of the Instrument, or the subtilty and secrecie of those that practised with him, or the shift and evasion which he had provided for a colour of his doings, if they should happen to come into question. For first, whereas others were to find and encounter infinite difficulties in the very obtaining of an opportunity to execute this horrible act; and besides, cannot but see present and most assured death before their eyes; and therefore must be (as it were) *damnable Votaries* if they undertake it: This man, in regard of his Faculty, and of his private access to her Majesty, had both means to perpetrate, and means to conceal, whereby he might reap the fruit of his wicked *Treason*, without evident peril. And for his *Complices* that practised with him, being *Portugese*, and of the Retinue of *King Antonio*, the *King of Spains* Mortal Enemy, they were men thereby freed and discharged from suspicion, and might send Letters, and receive Letters, out of *Spain*, without jealousy; as those which were thought to entertain Intelligences there for the good of their Master: And for the Evasion and mask that *Lopez* had prepared for this *Treason*, if it had not been searched and sifted to the bottom, it was, that he did intend but to cozen the *King of Spain*, without ill meaning; somewhat in the nature of that Stratagem which *Parry*, a most cunning and artificial *Traitor*, had provided for himself.

Nevertheless, this matter, by the great goodness of God, falling into good hands, of those Honourable and sufficient persons which dealt therein, was by their great and worthy industry so handled and followed, as this *Proteus* of a disguised and transformed *Treason* did at last appear in his own likeness and Colours, which were as foul and monstrous as have been known in the world. For some of her Majesties Council long since entred into consideration, that the Retinue of *King Antonio* (I mean some of them) were not unlike to hatch these kinds of Treasons, in regard they were needy strangers entred into despair of their Masters Fortune, and like enough to aspire to make their Peace at home, by some such wicked services as these; and therefore grew to have an extraordinary vigilant eye upon them: Which prudent and discreet presumption, or conjecture, joyned with some advertisements of Espials abroad, and some other industry, was the first cause (next under the great benediction of God, which giveth unto Princes zealous Councillors, and giveth to Councillors policy, and discerning thoughts) of the revealing and discovering of these *Treasons* which were contrived in order and form, as hereafter is set down.

This *Lopez*, of Nation a *Portugeze*, and suspected to be in Sect secretly a Jew, (though here he conformed himself to the Rites of *Christian Religion*) for a long time professed *Physick* in this Land, by occasion whereof (being withall a man very observant and officious, and of a pleasing and appliable behaviour; in that regard, rather then for any great Learning in his Faculty) he grew known and favoured in Court; and was some years since sworn *Physitian* of her Majesties Household; and by her Majesties bounty, of whom he had received divers gifts of good commodity, was grown to good Estate of Wealth.

This man had insinuated himself greatly (in regard he was of the same Nation) with the *King Antonio*, whose Causes he pretended to solli-

A true Report of Dr. Lopez his Treason.

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A true Re-  
port of Dr.  
Lopez his  
Treason.

cit at the Court; Especially while he supposed there was any Appearance of his Fortune: of whom also he had obtained (as one that reserved all his doings to Gain) an Assignment of 50000. Crowns to be levied in Portugal. But being a person wholly of a corrupt and Mercenary Nature, and finding his hopes cold from that part; He cast his eyes upon a more able paymaster, And secretly made offer long since of his Service to the King of Spain: And accordingly gave sundry Intelligences of that which passed here and imported most for the King of Spain to know, having no small Means in regard of his continual attendance at Court, Nearness, and access to learn many particulars of great weight. Which Intelligences he maintained, with Bernardine Mendoza, Antonio Vega, Roderigo Marquez and divers others.

In the Conveyance of which his Intelligences, and in the making known of his disposition to do the King of Spain service, he had (amongst others) one Manuel Andrada a Portugese, revolted from Don Antonio to the King of Spain: One that was discovered to have practised the Death of the said Don Antonio, and to have betrayed him to Bernardine Mendoza. This Man coming hither, was, for the same, his practise appearing by Letters intercepted, apprehended and committed to Prison. Before which crime also, there had been by good diligence intercepted other Letters, whereby the said Andrada advertised Mendoza, that he had won Dr. Lopez to the Kings service: But Lopez having understanding thereof, and finding means to have secret conference with Andrada before his examination, perswaded with him to take the matter upon himself, as if he had invented that Advertisement touching Lopez, onely to procure himself credit with Mendoza; And to make him conceive well of his Industry and Service. And to move him herunto, Lopez set before Andrada, that if he did excuse him, he should have credit to work his delivery; whereas, if he did impeach him, he was not like to find any other Means of Tavour. By which subtil perswasion Andrada when he came to be examined, answered according to the Direction and and Lessoning which Lopez had given him. And having thus acquitted himself of this suspicion, became a Suitor for Andrada's delivery craftily, suggesting that he was to do some notable Service to Don Antonio: In which this suit he accordingly prevailed. When Lopez had thus got Andrada out of prison he was suffered to go out of the Realm into Spain: In pretence (as was said) to do some service to Don Antonio; But in truth, to continue Lopez Negotiation and Intelligences with the King of Spain: which he handled so well, as at his Return hither, for the comforting of the said Lopez, he brought to him from the King, besides thanks and words of encouragement, and an Abrazo (which is the Complement of Favour,) a very good Jewel garnished with sundry stones of good value. This Jewel when Lopez had accepted, he cunningly cast with himself, that if he should offer it to her Majesty first, he was assured she would not take it; Next, that thereby he should lay her asleep, and make her secure of him for greater Matters; according to the saying; *Fraus sibi fidem in parvis praestruit ut in magnis opprimat*; which accordingly he did, with protestations of his fidelity: And her Majesty as a Princess of Magnanimity, not apt to fear or suspicion, returned it to him with Gracious words.

After Lopez had thus abused her Majesty, and had these Trials of the Fidelity of Andrada; they fell in conference (the matter being first moved by



by *Andrada* as he that came freshly out of *Spain*) touching the *empoisoning* of the *Queen*. Which *Lopez* (who saw that matter of Intelligence without some such particular service would draw no great Reward from the *King of Spain*: such as a Man that was not Needy but wealthy as he was could find any Taste in) assented unto. And to that purpose procured again this *Andrada* to be sent over, as well to advertise and assure this Matter to the *King of Spain* and his Ministers (namely to the *Count de Fuentes*, Assistant to the *General of the King of Spains Forces* in the *Low-Countries*, as also to capitulate and contract with him about the Certainty of his Reward. *Andrada* (having received those Instructions and being furnished with money by *Lopez* procurement from *Don Antonio* about whose service his employment was believed to be, went over to *Calais*, where he remained to be near unto *England* and *Flaunders*, having a Boy that ordinarily passed to and fro between him and *Lopez*; By whom he did also (the better to colour his Employment) writ to *Lopez* Intelligence, as it was agreed he should between him and *Lopez*; Who bad him send such news as he should take up in the Streets. From *Calais* he writeth to *Count de Fuentes* of *Lopez's* promise and Demands. Upon the receipt of which Letters after some time taken, to advertise this Proposition into *Spain*, and to receive direct or thereupon; The *Count de Fuentes* associated with *Stephano Itarra* Secretary of the Council of the *Ways* in the *Low-Countries*, calleth to him *on Manuel Louys Vinoco* a *Portugese*, who had also followed *King Antonio*; and of whose good Devotion he had Experience in that he had conveyed unto him two several Pacquets, wherewith he was trusted by the *King Antonio* for *France*. Of this *Louys* they first received a *Corporal Oath*; with solemn Ceremony, taking his Hands between their Hands that he should keep secret that which should be imparted to him, and never reveal the same though he should be apprehended and questioned here. This done, they acquaint him with the Letters of *Andrada* with whom they charge him to conferre at *Callais* in his way and to pass to *Lopez* into *England*, addressing him further to *Stephano Ferrera de Gama*, and signifying unto the said *Lopez*; withal (as from the *King*) that he give no great credence to *Andrada*, as a person too slight, to be used in a Cause of so great weight: And therefore marvelled much that he heard nothing from *Ferrera* of this Matter, from whom he had in former time been advertised in generality of *Lopez's* good affection to do him service. This *Ferrera* had been sometimes a Man of great Livelyhood and wealth in *Portugal*, which he did forego in adhering to *Don Antonio*, and appeareth to be a Man of Capacity, and practise, but hath some years since been secretly won to the service of the *King of Spain*, not travelling nevertheless too and fro but residing as his *Liger* in *England*.

*Manuel Louys* dispatched with these Instructions and with all affectionate commendations from the *Count* to *Lopez*, and with Letters to *Ferrera* took his Journey first to *Calais* where he conferred with *Andrada*; of whom receiving more ample Information together with a short Ticket of Credence to *Lopez*, that he was a Person whom he might trust without scruple came over into *England*, and first repaired to *Ferrera* and acquainted him with the State of the *Busnesse*, who had before that time given some Light unto *Lopez*, that he was not a stranger unto the *Practise* betweene him and *Andrada*, wherewith (indeed) *Andrada* had (in a sort) acquainted him. And now upon this new Dispatch and knowledge given to *Lopez*,

a true Report of Dr. Lopez his Treason.



A True Report of Dr. Lopez his Treason.

of the choice of *Ferrera* to continue that which *Andrada* had begun; He to conform himself the better to the satisfaction of the *King of Spain*, and his *Ministers* abroad, was content more fully to communicate with *Ferrera*, with whom from that time forward he meant singly and appertly to deal; And therefore cunningly forbear to speak with *Manuel Louys* himself; but concluded, that *Ferrera* should be his only *Trunk*, and all his Dealings should pass through his Hands, thinking thereby to have gone *Invisible*.

Whereupon he cast with himself, that it was not safe to use the mediation of *Manuel Louys*, who had been made privy to the matter as some base carrier of Letters; which Letters also should be written in a *Cypher*, not of *Alphabet*, but of *Words*; Such as might if they were opened, import no vehement suspicion. And therefore *Manuel Louys* was sent back with a short Answer, and *Lopez* purveied himself of a base Fellow, a *Portuguese* called *Gomes d'Avila*, dwelling hard by *Lopez House* to convey his Letters. After this Messenger provided, it was agreed between *Lopez* and *Ferrera*, that Letters should be sent to the *Count de Fuentes* and *Secretary Juarra*, written and signed by *Ferrera* (for *Lopez* cautelously, did forbear to write himself) but directed and (indeed) dictated word by word by *Lopez* himself. The Contents thereof were; That *Lopez* was ready to execute that Service to the *King*, which before had been treated, but required for his Recompence the sum of 50000. *Crowns*, and assurance for the same.

These Letters were written obscurely (as was vouched) in Terms of *Merchandise*, to which Obscurity when *Ferrera* excepted, *Lopez* answered; They knew his meaning by that which had passed before. *Ferrera* wrote also to *Manuel Louys*, but charged this *Gomez* to deliver the same Letters unto him in the presence of *Juarra*; As also the Letter to *Juarra* in the presence of *Manuel Louys*. And these Letters were delivered to *Gomez d'Avila* to be carried to *Bruxels*; And a Passport procured, and his charges defrayed by *Lopez*. And *Ferrera* the more to approve his Industry, wrote Letters two several times, the one conveyed by *Emanuel Palacios*, with the privy of *Lopez*, to *Christophero Moro* a principal Councillor of the *King of Spain*, in *Spain*; Signifying that *Lopez* was won to the *King of Spain*, and that he was ready to receive his Commandement, and received a Letter from the same *Christophero Moro*, in answer to one of these, which he shewed unto *Lopez*. In the mean time, *Lopez*, though a Man (in semblance) of a heavy wit, yet indeed subtil of himself, as one trained in practise; And besides as wily as Fear and Covetousness could make him, thought to provide for himself (as was partly touched before) as many starting Holes and Evasions as he could devise; If any of these Matters should come to light. And first he took his time to cast forth some general words a far off to her Majesty, as asking her the Question; Whether a deceiver might not be deceived? Whereof her Majesty (not imagining these words tended to such end as to warrant him colourably in this wretched Conspiracy, but otherwise of her own natural Disposition bent to integrity and sincerity) uttered dislike and disallowance. Next, he thought he had wrought a great Mystery in demanding the precise sum of 50000. *Crowns* agreeing just with the sum of Assignment or Donation from *Don Antonio*; Idely, & in that grossely imagining, that if afterwards he should accept the same sum, he might excuse it, as made good by the *King of Spain*; in regard he desisted to follow and favour *Don Antonio*: Whereupon the *King of Spain* was in honour tied not to see him



him a Looter. Thirdly, in his conferences with *Ferrera*, when he was opposed upon the particular manner, how he would poyson her Majesty, he purposely named unto him a *Syrup*, knowing that her Majesty never useth *Syrup*; and therefore thinking that would prove an high point for his Justification, if things should come in any Question.

But all this while desirous after his prey which he had in hope devoured, he did instantly importune *Ferrera* for the answering of his last dispatch, finding the delay strange, and reiterating the Protestations of his readiness to do the service, if he were assured of his Money.

Now before the return of *Gomez d' Avila* into England, this *Steven Ferrera* was discovered to have intelligence with the Enemy; but so, as the particular of his Traffick and Overtures appeared not, only it seemed there was great account made of that he managed; and thereupon he was committed to Prison. Soon after arrived *Gomez d' Avila*, and brought Letters only from *Manuel Louys*, by the Name of *Francisco de Thores*; because (as it seemeth) the great persons, on the other side, had a contrary disposition to *Lopez*, and liked not to write by so base a Messenger, but continued their course to trust and imploy *Manuel Louys* himself, who in likelihood was retained till they might receive a full conclusion from Spain, which was not till about two moneths after. This *Gomez* was apprehended at his Landing; and about him were found the Letters aforesaid, written in *Jargon*, or *Verbal Cypher*, but yet somewhat suspicious, in these words: *This Bearer will tell you the price in which your Pearls are esteemed, and in what resolution we rest about a little Musk and Amber, which I am determined to buy.* Which words the said *Manuel Louys* afterwards voluntarily confessed to be deciphered, in this sort; That by the allowance of the Pearls, he meant, that the *Count de Fuentes*, and the *Secretary*, did gladly accept the offer of *Lopez* to poyson the Queen, signified by *Ferrera's* Letter; and for the provision of *Amber* and *Musk*, it was meant, that the *Count* looked shortly for a resolution from the *King of Spain*, concerning a matter of importance, which was for burning of the *Queens Ships*; and another point, tending to the satisfaction of their vindictive humour.

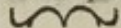
But while the sense of this former Letter rested ambiguous, and that no direct particular was confessed by *Ferrera*, nor sufficient light given to ground any rigorous examination of him, cometh over *Manuel Louys* with the resolution from Spain; who first understanding of *Ferrera's* restraint, and therefore doubting how far things were discovered, to shadow the matter, like a cunning Companion, gave advertisement of an intent he had to do service, and hereupon obtained a Pass-port: But after his coming in, he made no haste to reveal any thing, but thought to dally and abuse in some other sort. And while the light was thus in the Clouds, there was also intercepted a little Ticket which *Ferrera* in Prison had found means to write, in care to conceal *Lopez*, and to keep him out of danger, to give a Caveat of staying all further answers and advertisements in these causes. Whereupon *Lopez* was first called in Question.

But in conclusion, this matter being with all assiduity and policy more and more pierced and mined into: First, there was won from *Manuel Louys* his Letters from the *Count de Fuentes*, and *Secretary Juara*, to *Ferrera*; in both which, mention is made of the *Queens death*: In that of the *Counts*, under the term of a *Commission*; and in that of the *Secretaries*, under the term of the *Great Service*, whereof should arise an universal benefit to the whole World. Also the Letters of Credit, written by *Gonzalo Gomez*; one to *Pedro de*

True Report of Dr. Lopez his Treason.



A true Re-  
port of Dr.  
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his Treason



de Carrera, and the other to Juan Pallaci, to take up a sum of money by Manuel Louys, by the foresaid false name of Fr. de Thores; Letters so large, and in a manner without limitation, as any sum by, virtue thereof might be taken up: Which Letters were delivered to Louys by the Count de Fuentes's own hands, with directions to shew them to Lopez for his assurance; a matter of Gods secret working in staying the same; for thereupon rested only the execution of the Fact of Lopez. Upon so narrow a point consisted the safety of her Majesties Life, already sold by Avarice, to Mice, and Ambition, but extraordinarily preserved by that Watchman which never slumbereth. This same Emanuel Louys, and Steven Ferrera also, whereof the one managed the matter abroad, and the other resided here to give correspondence, never meeting, after Emanuel had returned, severally examined without torture or threatening, did in the end voluntarily and clearly confess the matters above-mentioned, and in their Confessions fully consent and concur, not only in substance, but in all points, particularities, and circumstances; which Confessions appear expressed in their own Natural Language, testified and subscribed with their own hands, and in open Assembly, at the arraignment of Lopez, were by them confirmed and avouched to Lopez his face; and therewithall are extant, undefaced, the Original Letters from Count de Fuente, Secretary Juara, and the rest.

And Lopez himself at his first apprehension and examination did indeed deny; and deny with deep and terrible oaths and execrations, the very Conferences and Treaties with Ferrera, or Andrada, about the Empossonment. And being demanded, if they were proved against him, what he would say? He answered, That he would yield himself guilty of the Fact intended. Nevertheless, being afterwards confronted by Ferrera, who constantly maintained to him all that he said, reducing him to the times and places of the said Conferences, he confessed the matter, as by his Confession in writing, signed with his own hand, appeareth. But then he fell to that slender Evasion, as his last Refuge, that he meant only to cozen the King of Spain of the Money; and in that he continued at his Arraignment; when notwithstanding, at the first, he did retract his own Confession: And yet being asked, whether he was drawn either by mean of torture, or promise of life, to make the same Confession, he did openly testify, that no such means was used towards him.

But the fallhood of this Excuse being an Allegation that any Traitor may use and provide for himself, is convicted by three notab'e Proofs. The first, That he never opened this matter, neither unto her Majesty, unto whom he had ordinary access, nor to any Councillor of State, to have permission to tell on, and inveigle these parties with whom he did treat, if it had been thought so convenient; wherein, percase, he had opportunity to have done some good service, for the further discovery of their secret machinations against her Majesties Life. The second, That he came too late to this shift; having first bewrayed his guilty Conscience, in denying those Treaties and Conferences, till they were evidently and manifestly proved to his face. The third, That in conferring with Ferrera about the manner of his assurance, he thought it better to have the money in the hands of such Merchants as he should name in Antwerp, then to have brought it into England; declaring his purpose to be, after the Fact done, speedily to fly to Antwerp, and there to tarry some time, and so to convey himself to Constantinople; where it is affirmed, that Don Salomon, a Jew in good credit, is Lopez his near Kinsman; and that he is greatly favoured by the said Don Salomon: whereby



it is evident that *Lopez* hath cast his Reckonings upon the supposition of the Fact done.

Thus may appear, both how justly this *Lopez* is condemned for the highest *Treason* can be imagined; And how, by *Gods* marvellous Goodnes her *Majesty* hath been preserved. And surely if a Man do truly consider, it is hard to say; Whither *God* hath done greater things by her *Majesty* or for Her: If you observe on the other side, how *God* hath ordained her Government, to break and cross the unjust Ambition of the Two *Mighty Potentates*, the *King of Spain* and the *Bishop of Rome*, never so straitly between themselves combined; And on the other side how mightily *God* hath protected her, both against forrain *Invasion* and *Inward Troubles* and singularly against the many secret *Conspiracies*, that have beene made against her Life Thereby declaring to the world that he will indeed preserve that instrument, which he hath dignified. But the Corruptions of these Times are wonderfull when that *Wars*, which are the highest Trials of Right betweene *Princes* (that acknowledge no superiour Jurisdiction) and ought to be prosecuted with all Honour, shall be stained and infamed with such Foul and Inhumane practises. Wherein if so great a *King* hath been named, the *Rule of the Civil Law* (which is a *Rule of Common Reason*) Must be remembered; *Frustra Legis auxilium implorat qui in Legem Committit*. He that hath sought to violate the *Majesty Royal*, the Highest Degree cannot claim the preheminance thereof to be exempted from just Imputation.

A true Report of Dr. Lopez his *Treason*.



An Adver-  
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touching  
the Contro-  
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the Church  
of England.



AN  
ADVERTISEMENT  
TOUCHING THE  
CONTROVERSIES  
OF THE  
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It is but ignorance, if any man find it strange, that the  
State of Religion (especially in the daies of peace) should  
be exercised and troubled with Controversies: For as it  
is the condition of the Church Militant to be ever under  
Tryals; so it cometh to pass, that when the fiery Tryal  
of Persecution ceaseth, there succeedeth another Tryal,  
which (as it were) by contrary blasts of Doctrine,  
doth sift and winnow mens Faith, and proveth whe-  
ther they know God aright; even as that other of afflictions discovereth  
whether they love him better than the World. Accordingly was it foretold  
by Christ, saying, *That in the latter times it should be said, Lo here, loe  
there is Christ:* Which is to be understood, not as if the very Person of  
Christ should be assumed and counterfeited, but his Authority and Prehemi-  
nence (which is to be the Truth it self) should be challenged and pretend-  
ed. Thus have we read and seen to be fulfilled that which followeth, *Ecce  
in Deserto, Ecce in Penetralibus:* While some have sought the Truth in  
the Contentions and Conciliabes of Hereticks and Sectaries; others in the  
extern face and representation of the Church, and both sorts have been sedu-  
ced; were it then that the Controversies of the Church of England were such,  
as they did divide the Unity of the Spirit, and not only such as do unswath-  
her of her Bands, (the Bands of Peace) yet could it be no occasion for  
any pretended Catholick to judge us, or for any irreligious person to  
despise us; or if it be, it shall but happen to us all as it hath used to  
do to them to be hardened, and to us to endure the good pleasure of God.  
But now that our contentions are such, as we need not so much that general  
Canon and Sentence of Christ propounded against Hereticks, *Erratis, nesci-  
entes Scripturas, & potestatem Dei.* You do err, not knowing the Scripture, and the  
Power



Power of God; as we need the admonition of S. James, Let every man be swift to hear, slow to speak, slow to wrath; and that the wound is no way dangerous, except we poyson it with our remedies: As the former sort of men have less reason to make themselves Musick in our discord; so I have good hope, that nothing shall displease our selves, which shall be sincerely and modestly propounded for the appealing of these dissensions. For if any shall be offended at this voice, Vos estis fratres; ye are Brethren, why strive ye? He shall give a great presumption against himself, that he is the Party that doth his Brethren wrong.

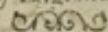
The Controversies themselves I will not enter into, as judging, that the Disease requireth rather rest than any other cure. Thus much we all know and confesse, that they be not of the highest nature, for they are not touching the high Mysteries of Faith, such as detained the Churches for many years after their first Peace, what time the Hereticks moved curious questions, and made strange Anatomies of the Natures and Person of Christ; and the Catholick Fathers were compelled to follow them with all subtilty of decisions and determinations to exclude them from their Evasions, and to take them in their Labyrinths; so as it is rightly said, Illis temporibus, ingeniosa res fuit, esse Christianum: In those daies it was an ingenious and subtil thing to be a Christian.

Neither are they concerning the great parts of the Worship of God, of which it is true, that Non servatur unitas in Credendo, nisi eadem sit in Colendo: There will be kept no unity in believing, except it be entertained in worshipping; such as were the Controversies of the East and West Churches touching Images, and such as are many of those between the Church of Rome, and us; as about the adoration of the Sacrament, and the like: But we contend about Ceremonies, and things indifferent, about the extern Policy and Government of the Church: In which kind, if we would but remember that the ancient and true bounds of Unity are one Faith, one Baptisme, and not one Ceremony, one Policy; if we would observe the League amongst Christians that is penned by our Saviour, He that is not against us, is with us; if we could but comprehend that saying, Differentia Rituum commendat unitatem Doctrinae; The diversities of Ceremonies do set forth the unity of Doctrine; and that Habet Religio quae sunt Aeternitatis, habet quae sunt temporis; Religion hath parts which belong to Eternity, and parts which pertain to time: And if we did but know the virtue of Silence, and slowness to speak, commended by Saint James, our Controversies of themselves would close up, and grow together: But most especially, if we would leave the overweaning and turbulent humours of these times, and revive the blessed proceeding of the Apostles and Fathers of the Primitive Church, which was in the like and greater cases not to enter into Assertions and Positions, but to deliver Counsels and Advices, we should need no other remedy at all; Si eadem Consulis, (frater) quae affirmas, consulenti debetur Reverentia, cum non debeatur Fides affirmanti: Brother, if that which you set down as an Assertion, you would deliver by way of advice, there were Reverence due to your counsel, whereas Faith is not due to your Affirmation. Saint Paul was content to speak thus, Ego, non Dominus, I, and not the Lord: Et, secundum Consilium meum; According to my Counsel: But now men do too lightly say, Non ego, sed Dominus; not I, but the Lord: yea, and bind it with an heavy denunciation of his Judgments to terrifie the simple, which have not sufficiently understood out of Solomon, That the causeless Curse shall not come.

In Answer-  
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An Answer  
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Therefore seeing the accidents are they which breed the peril, and not the things themselves in their own nature, it is meet the remedies be applied unto them, by opening what it is on either part, that keepeth the wound green, and formalizeth both sides to a further opposition, and worketh an indisposition in mens minds to be reunited, wherein no Accusation is pretended. But I find in *Reason*, that Peace is best built upon a repetition of wrongs; and in example, that the Speeches which have been made by the wisest men, *De Concordia Ordinum*, have not obtained from reducing to memory the extremities used on both parts; so as it is true which is said, *Qui pacem trahit non is repetit conditionibus diffidit, is magis animos hominum dulcedine pacis salit, quam equitate componit.*

And first of all, it is more then time that there were an end and surseance made of this inmodest and deformed manner of writing lately entertained, whereby *Matter of Religion* is handled in the stile of the Stage. Indeed, bitter, and earnest Writing must not hastily be condemned; For Men cannot contend Coldly, and without affection about Things which they hold dear and precious. A Politick Man may write from his *Brain*, without Touch and Sense of his Heart; As in a Speculation that appertaineth not unto him: But a *Feeling Christian* will express in his words a *Character of Zeal or Love*. The latter of which, as I could wish rather embraced being more proper for these Times, yet is the Former warranted also by great Examples.

But to leave all Reverent and Religious Compassion towards Evils, or Indignation towards Faults, and to turn Religion into a Comedy or Satyre, To search and rip up wounds with a Laughing Countenance, to intermix Scripture and Scurrillity, sometime in one Sentence; is a thing, far from the devout Reverence of a Christian, and scant becoming the honest Regard of a sober Man. *Non est major Confusio quam Serii, & Joci.* There is no greater Confusion, than the confounding of Jest and Earnest. The Majesty of Religion, and the Contempt and Deformity of things ridiculous, are things as distant as things may be. Two principal Causes have I ever known of Atheism, Curious Controversies, and prophane Scuffling: Now that these two are joyned in one, no doubt that Sect will make no small progression.

And here I do much esteem the Wisdome and Religion of that Bishop which replied to the first Pamphlet of this kind, who remembred, that a Fool was to be answered, but not by becomming like unto him; And considered the *Matter* which he handled, and not the *Person* with whom he dealt.

*Job*, speaking of the Majesty and Gravity of a Judge in himself saith, if I did smile, they believed it not: As if he should have said, if I diverted, or glanced upon Conceit of Mirth, yet Mens minds were so possessed with a Reverence of the Action in hand as they could not receive it. Much more ought not this to be amongst Bishops and Divines disputing about Holy Things. And therefore as much do I mislike the Invention of him who (as it seemeth) pleased himself in it as in no mean pollicy, that these Men are to be dealt withal at their own Weapons, and pledged in their own Cap. This seemed to him as profound a Devise, as when the Cardinal Sanzovino counselled Julius the second to encounter the Council of Pisa with the Council of Lateran, or as lawful a challenge as Mr. Jewel made to confute the pretended Catholics by the Fathers, but those things will not excuse the



the imitation of Evil in another. It should be contrariwise with us, as *Cæsar* said, *Nil malo, quàm eos similes esse sui, Et mei.* But now: *Dum de bonis contendimus, ac Malis consentimus:* While we differ about good things, we resemble in evil.

Surely, if I were asked of these men, who were the more to be blamed, I should percase remember the Proverb, *That the second Blow maketh the Fray;* and the saying of an obscure Fellow; *Qui replicat, multiplicat: He that replieth, multiplieth.* But I would determine the Question with this Sentence; *Alter principium Mali dedit, alter Madum abstulit:* By the one means we have a beginning, and by the other we shall have none end.

And truly, as I do marvel that some of those *Preachers* which call for *Reformation* (whom I am far from wronging so far, as to joyn them with these Scoffers) do not publish some *Declaration*, whereby they may satisfie the world, that they dislike their cause should be thus solicited; so I hope assuredly, that my *Lords of the Clergy* have none intelligence with this interbellling, but do altogether disallow that their Credit should be thus defended. For though I observe in one of them many glosses, whereby the man would insinuate himself into their favours, yet I find it to be ordinary, that many pressing and fawning persons do misconjecture of the humors of men in *Authority*, and many times, *Veneri immolant suum*, they seek to gratifie them with that which they most dislike: For I have great reason to satisfie my self touching the judgment of my *Lords the Bishops* in this matter, by that which was written by one of them, which I mentioned before with honour. Nevertheless I note, there is not an indifferent hand carried towards these *Pamphlets* as they deserve; for the one sort *flie:h* in the dark, and the other is uttered openly; wherein I might advise that side out of a wise Writer who hath set it down, *That, punitis ingenis gliscit Authoritas.*

And indeed we see it ever falleth out, that the *Forbidden Writing* is always thought to be certain sparks of a Truth that fly up into the faces of those that seek to choak it, and tread it out; whereas a *Book Authorized* is thought to be but *Temporis Voces*, the *Language of the Time*. But in plain truth I do find (to mine understanding) these *Pamphlets* as meet to be suppressed as the other. First, because as the former sort doth deface the *Government of the Church* in the persons of the *Bishops* and *Prelates*, so the other doth lead into contempt the exercises of *Religion* in the persons of sundry *Preachers*; so as it disgraceth an higher matter, though in the meaner person.

Next, I find certain indiscreet and dangerous amplifications, as if the *Civil Government* it self of this *State*, had near lost the force of her *Sinews*, and were ready to enter into some *Convulsion*, all things being full of *Faction* and *Disorder*, which is as unjustly acknowledged, as untruly affirmed: I know his meaning is to enforce this unreverent and violent impugning of the *Government of Bishops*, to be a suspected *Forerunner* of a more general *Con empt.* And I grant there is a *sympathy* between the *Estates*, but no such matter in the *Civil Policy*, as deserveth so dishonourable a *Taxation*.

To conclude this point, as it were to be wished, that these *Writings* had been abortive, and never seen the Sun; So the next is, since they be common abroad, that they be censured (by all that have Understanding and Conscience) as the untemperate extravagancies of some light persons. Yea further, that men beware, except they mean to adventure to deprive themselves of all sense of *Religion*, and to pave their own hearts, and

An Advertisement  
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make them as the high way; how they may be conversant in them; and much more how they delight in that vein, but rather to turn their *Laughing* into *Blushing*, and to be ashamed as of a *short madness*, that they have in matters of *Religion* taken their disport and solace. But this perchance is of these faults which will be soonest acknowledged, though I perceive, nevertheless, that there want not some who seek to blunch, and excuse it.

But to descend to a sincere view and consideration of the accidents and circumstances of these *Controversies*, wherein either part deserveth blame or imputation, I find generally, in causes of *Church-matters*, that men do offend in some or all of these five Points.

The first is, the *giving occasion* unto the *Controversies*; and also the *unconsiderate and ungrounded taking of occasion*.

The next is, the *extending and multiplying* the *Controversies* to a more general *opposition* or *contradiction* then appeareth at the first propounding of them, when mens judgments are least partial.

The third is, the *passionate and unbrotherly practices* and *proceedings* of both *Parts*, towards the *persons* each of others, for their *discredit* and *suppression*.

The fourth is, the *courses holden and entertained* on either *side*, for the *drawing* of their *Partizans* to a more strait *Union* within themselves, which ever importeth a further distraction of the entire Body.

The last is, the undue and inconvenient *propounding, pulling, and debating* of the *Controversies*. In which Point the most palpable Error hath been already spoken of, as that, which through the strangeness and freshness of the abuse, first offereth it self to the conceits of all men.

Now concerning the occasion of the *Controversies*, it cannot be denied, but that the imperfections in the *Conversation* and *Government* of those which have chief place in the *Church*, have ever been principal causes and motives of *Schismes* and *Divisions*. For whiles the *Bishops* and *Governours* of the *Church* continue full of knowledge and good works; whiles they feed the *Flock* indeed; whiles they deal with the *Secular States* in all liberty and resolution according to the *Majesty* of their *Calling*, and the precious care of *Souls* imposed upon them, so long the *Church* is situated as it were upon an *Hill*; No man maketh question of it, or seeketh to depart from it, but when these *Virtues* in the *Fathers* and *Leade*s of the *Church* have lost their *Light*, and that they wax worldly *Lovers* of themselves, and *Pleasers* of men, then men begin to groap for the *Church* as in the dark; they are in doubt whether they be the *successors* of the *Apostles*, or of the *Pharises*: Yea, howsoever they sit in *Moses Chair*, yet they can never speak, *Tanquam Auctoritatem habentes*, as having *Authority*, because they have lost their *Reputation* in the *Consciences* of men, by declining their steps from the way which they trace out to others; so as men had need continually have sounding in their *Ears* this same; *Nol te Exire*, Go not out; so ready are they to depart from the *Church* upon every choice. And therefore it is truly noted by one that writeth as a natural man, That the *Humility* of the *Egyptians* did for a great time maintain and bear out the *irreligion* of *Bishops* and *Prelates*.

For this is the double policy of the *Spiritual Enemy*, either by counterfeit *Holiness* of *life* to Establish and Authorize *Errors*; or by *Corruption* of *Manners*, to discredit and draw in question truth, and things



Things Lawfull. This concerneth my Lords the Bishops, unto whom I am witness to my self, that I stand affected as I ought: No contradiction hath supplanted in me the Reverence that I owe to their Calling: Neither hath any Detraction, or Calumny imbiased mine Opinion of their Persons: I know some of them whose Names are most peirc'd with these Accusations, to be Men of great vertues; Although the Indisposition of the times, and the want of Correspondence many ways is enough to frustrate the best Endeavours in the Edifying of the Church. And for the rest generally I can condemn none: I am no Judge of them that belong to so High a Master; neither have I two Witnesses. And I know it is truly said of Fame that

An Advertisement  
touching  
the Controversies of  
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—Pariter Facta, atq; Inscia Canebat.

Their Taxations arise not all from one Coast; They have many and different Enemies, Ready to invent slander, more ready to amplify it, and most ready to believe it. And *Magnes Mendacii Credulitas*; Credulity is the Adamant of Lies. But if any be, against whom, the supream Bishop hath not a few Things, but many Things; If any have lost his first love, If any be neither hot nor cold; if any have stumbled too fondly at the Threshold, in such sort, that he cannot sit well, that entred ill; It is time they return whence they are fallen, and confirm the Things that remain.

Great is the Weight of this Fault: *Et eorum causa abhorrebant à Sacrificio Domini*: And For their Cause, did Men abhor the Adoration of God. But howsoever it be, those which have sought to deface them and cast contempt upon them, are not to be excused.

It is the precept of Solomon that the Rulers be not Reproached; No, not in our Thought. But that we draw our very Conceit into a modest Interpretation of their Doings. The Holy Angel would give no Sentence of Blasphemy against the Common Slanderer, but said; *Incrasset te Dominus: The Lord Rebuke thee*. The Apostle Saint Paul though against him that did pollute Sacred Justice with Tyrannous Violence, he did justly denounce the Judgement of God, saying; *Percutiet te Dominus: The Lord will strike thee* yet in saying *Paries dealbate*, he thought he had gon too far and retracted it. Whereupon a Learned Father said, *Ipsam quam vis inane nomen, & umbram Sacerdotis expavit*.

The ancient Councils and Synodes (as is noted by the Ecclesiastical Story) when they deprived any Bishop, never recorded the Offence: but buried it in perpetual Silence: Onely Chama purchased his Curse by revealing his Fathers disgrace, and yet a much greater Fault is it to ascend from their Person to their Calling, and draw that in question. Many good Fathers spake rigorously and severely of the unworthinesse of Bishops; As if presently it did foresee it, and cease their Office. One saith; *Sacerdotes nominamur, & non sumus*: We are called Priests, but Priests we are not. Another saith *Nisi bonum Opus amplectaris, Episcopus esse non potes*: Except thou undertake the good work, thou canst not be a Bishop: Yet they meant nothing less than to move doubt of their Calling or Ordination.

The Second Occasion of Controversies, is the nature and humour of some men. The Church never wanteth a kind of Persons which love the Salvation of Raboi, Master; Not in Ceremony or Complement, but in an inward Authority, which they seek over Mens Minds, in drawing them to depend upon their Opinions, and to seek Knowledge at their Lips. These

Men



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Men are the true Successors of Diotrephes, the Lover of Preheminence, And not Lord Bishops. Such Spirits do light upon another sort of Natures, which do adhere to these Men; *Quorum gloria in obsequio*; Stiff Followers, and such as zeal marvelously for those whom they have chosen for their Masters. This latter sort for the most part are men of young years and superficial Understanding, carried away with partial respects of Persons; Or with the enticing appearance of Godly Names and Pretences: *Pauci res ipsas sequuntur, plures nomina Rerum, plurimi nomina Magistrorum.* Few follow the things themselves, more the names of the Things, and most the Names of their Masters.

About these general Affections are wreathed and interlaced accidental, and private Emulations and discontentments, all which together break forth into contentions; Such as either violate Truth, Sobriety or Peace. These generalities apply themselves. The Univerſities are the Seat or the Continent of this Disease: Whence it hath been, and is derived into the Rest of the Realm. There Men will no longer be *en numero* of the number. There do others side themselves, before they know their Right hand from their left. So it is true which is said, *Transseunt ab Ignorantia ad præjudicium.* They skip from Ignorance to a prejudicate Opinion, and never take a sound judgement in their way. But as it is well noted, *Inter Juvenile Judicium & senile præjudicium, omnis veritas corumpitur*: Through want of years, when men are not indifferent, but partial, then their Judgement is weak and unripe.

And when it groweth to Strength, and Ripeness, by that time it is forestalled with such a number of prejudicate Opinions, as it is made unprofitable. So as betweene these two, all Truth is corrupted. In the mean while, the Honourable Names of Sincerity, Reformation and Discipline are put in the fore Ward; So as Contentions and Evil Zeals cannot be touched, except these *Holy Things* be thought first to be violated. But howsoever they shall infer the Sollicitation for the Peace of the Church to proceed from Carnal Sense, yet I will conclude ever with the Apostle Paul; *Cum sit inter vos Zelus & Contentio, nonne carnales estis?* While there is amongst you Zeal and Contention, are ye not Carnal? And howsoever they esteem the Compounding of Controversies to favour of Mans Wisdom, and Human Policy; And think themselves led by the Wisdom which is from above, yet I say with Saint James; *Non est ista sapientia de sursum descendens, sed Terrena, Animalis, Diabolica. Ubi enim Zelus & contentio, Ibi inconstancia & omne opus prævum.* Of this Inconstancy it is said by a Learned Father, *procedere volunt non ad perfectionem, sed ad permutationem*: They seek to go forward still, not to perfection but to change.

The third Occasion of Controversies I observe to be an extream and unlimited Detestation of some former Heresie or Corruption of the Church already acknowledged and convicted. This was the Cause that produced the Heresie of Arius, grounded especially upon Detestation of Gentilism, least the Christians should seem by the Assertion of the equal Divinity of our Saviour Christ, to approach unto the acknowledgement of more Gods than One. The detestation of the Heresie of Arius produced that of Sabellius; who holding for execrable the Dissimilitude which Arius pretended in the Trinity, fled so far from him as he fell upon that other extremity, to deny the Distinction of Persons: And to say they were but only Names of several Offices and Dispensations. Yea, most of the Heresies and Schismes of the Church, have sprung up of this Root; While men have made



made it as it were their Scale, by which to measure the Bounds of the most perfect Religion: Taking it by the furthest distance from the Errour last condemned. These be *Posthumi Heresum Filii* Heresies that arise out of the Aines of other Heresies that are extinct and amortized.

This Manner of Apprehension doth in some degree possess many in our Times. They think it the true Touchstone to try what is good and evil, by measuring what is more or less opposite to the Institutions of the Church of Rome, be it Ceremony, be it Policy or Government; yea, be it other Institutions of greater Weight, That is ever most perfect which is removed most degrees from that Church: And that is ever polluted and blemished, which participateth in any Appearance with it. This is a subtle and dangerous Conceit for Men to entertain; Apt to delude themselves, more apt to delude the People, and most apt of all to calumniate their Adversaries. This surely (but that a Notorious Condemnation of that Position was before our Eyes,) had long since brought us to the Re-baptization of Children, baptized according to the Pretended Catholick Religion. For I see that which is a Matter of much like reason; Which is the reordaining of Priests is a matter already resolutely maintained: It is very meet that Men beware how they be abused by this Opinion; And that they know that it is a Consideration of much greater Wisdom and Sobriety to be well advised, whether in general Demolition of the Institutions of the Church of Rome, there were not (as mens Actions are imperfect) some good purged with the Bad; Rather than to purge the Church as they pretend every day a new: Which is the way to make a wound in the Bowels, as is already begun.

The Fourth and last Occasion of these Controversies (a Matter which did also trouble the Church in former times) is the partial Affection and Imitation of Foreign Churches. For many of our Men (during the time of persecution and since) having been Conversant in Churches abroad, and received a great Impression of the form of Government there ordained, have violently sought to intrude the same upon our Church. But I answer; *Consentiamus in eo quod convenit, non in eo quod receptum est*: Let us agree in this, that every Church do that which is convenient for the State of it self, and not in particular Customs: Although their Churches had received the better Form, yet many times it is to be sought; *Non quod optimum, sed e bonis quid proximum*: Not that which is best, but of good Things which is the best & Readiest to be had. Our Church is not now to plant; It is sowed & established. It may be in Civil States a Republick is a better Policy than a Kingdom; Yet God forbid that lawfull Kingdomes should be tyed to innovate and make Alterations. *Qui mala introducit voluntatem Dei oppugnat revelatam in verbo*; *Qui bona introducit voluntatem Dei oppugnat revelatam in Rebus*. He that bringeth in evil Customs resisteth the will of God revealed in his word; He that bringeth in new Things resisteth the Will of God revealed in the Things themselves. *Consule providentiam Dei cum verbo Dei*; Take Counsel of the Providence of God, as well as of his Word. Neither yet do I admit that their Form, although it were possible and convenient, is better than ours, if some Abuses were taken away. The Parity and Equality of Ministers is a Thing of wonderfull great Confusion, and so is an Ordinary Government by Synods which doth necessarily ensue upon the other.

It is hard in all Causes but especially in Religion when Voyces shall be Numbered and not Weighed: *Equidem* (saith a wise Father) *ut verè quod res est scribam, prorsus decrèvi fugere omnem Convantum Episcoporum*; Nullum enim Con-

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*cili eorum exitum unquam vidit; Concilia enim non minuunt Māla sed augent po-  
tius. To say the truth I am utterly determined never to come to any Council  
of Bishops. For I never yet saw good end of any Council; For Councils abate  
not ill things but rather encrease them. Which is to be understood not so much  
of General Councils as of Synods, gathered for the ordinary Government  
of the Church. As for the Deprivation of Bishops, and such like causes,  
this mischief hath taught the use of Arch-Bishops Patriarchs and Primates; as the  
abuse of them since, hath taught men to dislike them.*

But it will be said; look to the Fruits of the Churches abroad and ours.  
To which I say, that I beseech the Lord to multiply his Blessings and Gra-  
ces upon those Churches, an hundred fold. But yet it is not good, that we  
fall on the numbring of them; It may be our peace hath made us more  
wonton; It may be also (though I would be loath to derogate from the  
Honour of those Churches, were it not to remove Scandals) that their  
Fruits are as Torches in the Dark, which appear greatest afar off. I know  
they may have some strict Orders for the repressing of sundry Excesses  
But when I consider, of the Censures of some persons, as well up-  
on particular Men, as upon Churches; I think on the saying of a Plato-  
nist, who saith; *Certe vitia Irascibilis partis Animæ sunt gradu praviora, quam  
concupiscibilis; tamen occultiora:* A matter that appeared much by the  
Ancient Contentions of Bishops. God grant that we may content with  
other Churches, as the Vine with the Olive, which of us shall bear the  
best Fruit, and not as the Briar with the Thistle, which of us is most un-  
profitable. And thus much touching the occasions of these Controversies.

Now, briefly to set down the growth and Progression of the Contro-  
versies: whereby will be verified the saying of Solomon; *That the Course  
of Contention is to be stopped at the first; Being else as the waters, which  
if they gain a breach, it will hardly ever be recovered.*

It may be remembered that on that part, which call for Reformation,  
was first propounded, some dislike of certain Ceremonies, supposed to be  
*Superstitious*; some complaint of Dumb Ministers who possess Rich Benefi-  
ces; And some Invektives against the Idle and Monastical Continuance with-  
in the Universities, by those who had Livings to be resident upon, and  
such like Abuses. Thence they went on to condemn the Government of  
Bishops, as an Hierarchy, remaining to us, of the Corruptions of the  
Roman Church; And to except to sundry Institutions in the Church, as  
not sufficiently delivered from the pollutions of former Times.

And lastly, they are advanced to define of an onely and perpetual Form  
of Policy in the Church; which without Consideration of possibility, and  
fore-sight of Peril, and perturbation of the Church and State, must be e-  
rected and planted by the Magistrate. Here they stay. Others not able  
to keeping footing in so steep Ground, descend further; That the same  
must be entered into and accepted of the people at their peril without the  
Attending of the Establishment of Authority. And so in the mean time  
they refuse to communicate with us, repuring us to have no Church. This  
hath been the progression of that side. I mean of the Generality. For I  
know, some persons (being of the Nature, not only to love Extremities  
but also to fall to them without degrees) were at the highest strain at the first.

The other part, which maintaineth the present Government of the Church,  
hath not kept one Tenour neither. First those Ceremonies which were pre-  
tended to be corrupt, they maintained to be things indifferent, and op-  
posed the examples of the good Times of the Church, to that challenge  
which



which was made unto them, because they were used in the latter *superstitious times*. Then were they also content mildly to acknowledge many imperfections in the Church, as *Tares coming up amongst the Corn*, which yet (according to the wisdom taught by our Saviour) were not with strife to be pull'd up, lest it might spoil and supplant the good Corn, but to grow on together till the Harvest. After they grew to a more absolute defence and maintenance of all the *Orders of the Church*, and stiffly to hold that nothing was to be innovated, partly because it needed not, partly because it would make a breach upon the rest. Hence (exasperated through Contentions) they are fallen to a direct condemnation of the contrary part, as of a *Seit*. Yea, and some indiscreet persons have been told in open preaching, to use dishonourable and derogatory speech and censure of the Churches abroad; and that so far, as some of our men (as I have heard) ordained in forreign parts, have been pronounced to be no *lawful Ministers*. Thus we see the beginnings were modest, but the extremes are violent; so as there is almost as great a distance now of either side from it self, as was at the first of one from the other. And surely, though my meaning and scope be not (as I said before) to enter into the *Controversies* themselves, yet I do admonish the *Maintainers* of the alone *Discipline*, to weigh and consider seriously and attentively, how near they are unto them, with whom I know they will not joyn. It is very hard to affirm, that the Discipline which they say we want, is one of the *Essential parts of the Worship of God*; and not to affirm withall, that the people themselves, upon perit of *Salvation*, without staying for the *Magistrate*, are to gather themselves into it. I demand, if a *Civil State* should receive the preaching of the Word, and *Baptisme*, and interdict and exclude the *Sacrament of the Lords Supper*, were not men bound upon danger of their Souls to draw themselves to *Congregations*, wherein they might celebrate this *Mystery*; and not to content themselves with that part of *Gods Worship* which the *Magistrate* had authorized? This I speak, not to draw them into the dislike of others, but into a more deep consideration of themselves: *Fortasse non redeunt, quia suum progressum, non intelligunt.*

*an advertisement touching the Controversies of the Church of England.*

Again, to my Lords the Bishops I say, That it is hard for them to avoid blame, (in the Opinion of an indifferent person) in standing so precisely upon altering nothing. *Leges, novis Legibus, non recreant acescunt.* Laws not refreshed with new Laws, waxe secure. *Qui mala non permutat, in bonis non perseverat.* Without change of ill, a man cannot continue the good. To take away many abuses, supplanteth not good orders, but establisheth them. *Morosa Moris Retentio, res turbulenta est, aequae ac Novitas.* A contentious retaining of Custom is a turbulent thing as well as Innovation. A good Husband is ever proining in his Vineyard, or his Field; not unseasonably indeed, not unskillfully, but lightly he findeth ever somewhat to do. We have heard of no Offers of the Bishops of Bills in Parliament, which no doubt proceeding from them to whom it properly belongeth, would have every where received acceptance. Their own *Constitutions and Orders* have reformed them little. Is nothing amiss? Can any man defend the use of *Excommunication* as a base Process to lackey up and down for Duties and Fees, it being a Precursory Judgment of the latter day?

Is there no mean to train and nurse up Ministers? (for the yield of the Universities will not serve, though they were never so well governed) to train them, I say, not to preach (for that every man confidently adventureth to do) but to preach soundly, and to handle the Scriptures with wisdom and judgment? I know *Prophecyng* was subject to great abuse, and



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would be more abused now, because heat of Contentions is increased: But I say the only reason of the abuse was, because there was admitted to it a popular Auditory; and it was not contained within a private conference of Ministers. Other things might be spoken of: I pray God to inspire the Bishops with a fervent love and care of the people; and that they may not so much urge things in Controversie, as things out of Controversie, which all men confesse to be gracious and good. And thus much for the second point.

Now as to the third point of *unbrotherly proceeding* on either part, it is directly contrary to my purpose to amplify wrongs; it is enough to note and number them; which I do also, to move compulsion and remorse on the offending side, and not to animate Challengers and Complainers on the other. And this point (as reason is) doth chiefly touch that side which can do most: *Injurie potentiorum sunt: Injuries come from them that have the upper hand.*

The wrongs of them which are possessed of the Government of the Church towards the other, may hardly be dissembled or excused; they have charged them as though they denied Tribute to Cæsar, and withdrew from the Civil Magistrate the obedience which they have ever performed and taught. They have sorted and coupled them with the Family of Love, whose Heresies they have laboured to destroy and confute. They have been swift of credit to receive Accusations against them, from those that have quarrelled with them, but for speaking against Sin and Vice. Their Accusations and Inquisitions have been strict, swearing men to Blanks and Generalities, not included within compass of matter certain, which the Party which is to take the Oath may comprehend to be a thing captious and strainable. Their urging of Subscription to their own Articles, is but *Lacessere, & irritare Morbos Ecclesie*, which otherwise would spend and exercise themselves. *Non concessum querit sed dissidium, qui, quod factis præstatur, in verbis exigit. He seeketh not Unity, but Division, which exalteth that in words, which men are content to yield in action.* And it is true, there are some which (as I am perswaded) will not easily offend by inconformity, who notwithstanding make some conscience to subscribe; for they know this note of *Inconstancy* and *Defection*, from that which they have long held, shall disable them to do that good which otherwise they might do: For such is the weakness of many, that their Ministry should be thereby discredited. As for their easie silencing of them in such great scarcity of Preachers, it is to punish the people, and not them. Ought they not (I mean the Bishop) to keep one eye open to look upon the good that the men do, but to fix them both upon the hurt that they suppose cometh by them? Indeed, such as are intemperate and incorrigible, God forbid they should be permitted to Preach: But shall every inconsiderate word, sometimes captiously watched, and for the most part hardly enforced, be as a forfeiture of their voice and gift in preaching? As for sundry particular molestations, I take no pleasure to recite them. If a Minister shall be troubled for saying in Baptisme, *Do you believe, for Dost thou believe?* If another shall be called in question for praying for her Majesty, without the additions of her *style*; whereas the very form of Prayer in the Book of Common-Prayer hath thy *Servant Elizabeth*, and no more: If a third shall be accused upon these words uttered touching the controversies, *Tollatur Lex, & fiat certamen*; (whereby was meant, that the prejudice of the Law removed, either reasons should be equally compared) of calling the people to Sedition and Mutiny; As if he had said,

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Away with the Law, and try it out with Force: If these, and other like particulars be true, which I have but by Rumour, and cannot affirm; It is to be lamented that they should labour amongst us with so little comfort. I know *Refrained Governments* are better then *Remiss*, and I am of his mind that said; *Better is it to live where nothing is lawfull, than where all things are lawfull*. I dislike that Laws should not be continued or *Disturbers* be unpunished: But *Laws* are likened to the *Grape*, that being too much pressed yields an hard and unwholesome *Wine*. Of these Things I must say; *Ira Viri non operatur justitiam Dei*. The Wrath of man worketh not the righteousness of God.

As for the *Injuries* of the other part, they be *Idus inermes*; As it were *Headless Arrows*: They be *Fier*y, and *Eager Invektives*, and (in some fond Men) uncivil and unreverent Behaviour towards their Superiours. This last invention also which expresseth them to Derision and Obloquy by *Libels*, chargeth not (as I am perswaded) the whole side: Neither doth that other which is yet more odious, practised by the worst sort of them; which is to cill in (as it were to their Aides,) certain *Mercenary Bands*, which impugn *Bishops*, and other *Ecclesiastical Dignities*, to have the spoyle of their *Endowments* and *Livinges*, of those I cannot speak too hardly. It is an Intelligence between *Incendiaries* and *Robbers*; the one to Fire the *House*, the other to Rife it.

The Fourth point wholly pertaineth to them which impugn the present *Ecclesiastical Government*; who although they have not cut themselves off from the *Body* and *Communion* of the *Church*; yet do they affect certain *Cognizances* and *Differences* wherein they seek to correspond amongst themselves, and to be separate from others. And it is truly said; *Tam sunt Mores quidam Schismatici, quam Dogmata Schismatica*: There be as well *Schismatical Fashions*, as *Opinions*: First they have impropriated unto themselves the *Names* of *Zealous*, *Sincere* and *Reformed*; as if all others were *Cold minglers* of *Holy things* and *Profane*, and *Friends of Abuses*: Yea, be a man indued with great *Vertues*, and fruitful in good workes; yet if he concur not with them, they term him (in *Derogation*,) a *Civil* and *Moral Man*: And compare him to *Socrates*, or some *Heathen Philosopher*: Whereas the *Wisdom* of the *Scriptures* teacheth us otherwise: Namely, to judge and denominate Men *Religious* according to their *Works* of the *Second Table*: Because they of the *First* are often *Counterfeit*, and practised in *Hypocrisie*. So *Saint John* saith, that a *Man* doth vainly boast of *Loving God* whom he never saw, if he love not his *Brother* whom he hath seen. And *Saint James* saith, *this is true Religion* to visit the *Fatherless* and the *Widow*. So as that which is with them but *Philosophical* and *Moral*, is in the *Apostles* phrase, *True Religion* and *Christianity*. As in *Affection* they challenge the said *Vertue* of *Zeal* and the rest; So in *Knowledge* they attribute unto themselves *Light* and *perfection*. They say, the *Church of England* in *King Edwards* time, and in the Beginning of her *Majesties* *Reign*, was but in the *Cradle*; And the *Bishops* in those times did somewhat for *Day-Break*, but that *Maturity* and *Fulness* of *Light* proceedeth from themselves. So *Saevinus* *Bishop of Heraclea* a *Macedonian Heretick* said that the *Fathers* in the *Council of Nice* were but *Infants* and *Ignorant Men*: That the *Church* was not so perfect in their *Decrees* as to refuse that *Further Ripeness* of *Knowledge* which *Time* had revealed. And as they censure *vertuous Names* by the *Names* of *Civil* and *Moral*, so do they censure *Men* truly and godly wise (who see into the vanity of their *Affections*) by the name of *Politicks*: saying that their *Wisdom* is but *Carnal* and favouring of *Mans Brain*. So likewise if a *Preacher* preach with *Care* and *Meditation*; (I speak not of the vain

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Scholattical manner of preaching, but soundly indeed, ordering the matter to be handled distinctly for memory, deducting and drawing it down for direction, and authorizing it with strong proofs and warrants; they censure it as a form of speaking, not becoming the simplicity of the Gospel, and refer it to the reprehension of Saint Paul, speaking of the enticing speech of mans wisdom.

Now for their own manner of preaching, what is it? Surely they exhort well, and work compunction of mind, and bring men well to the Question, *Viri, fratres, quid faciemus?* But that is not enough except they resolve the Question: They handle matters of Controversie weakly, and obiter, and as before a people that will accept of any thing. In Doctrine of manners there is little but generality and repetition. The word (the Bread of Life) they toss up and down, they break it not: They draw not their directions down, as *Casus Conscientie*; that a man may be warranted in his perpetual actions whether they be lawful or not, neither indeed are many of them able to do it, what through want of grounded knowledge, what through want of study and time. It is a compendious and easie thing to call for the observation of the Sabbath day, or to speak against unlawful gain, but what actions and works may be done upon the Sabbath; and what not; and what courses of gain are lawful, and in what cases? To set this down, and to clear the whole matter with good distinctions and decisions, is a matter of great knowledge and labour, and asketh much meditation and conversing in the Scriptures, and other helps which God hath provided and preserved for Instruction.

Again, they carry not an equal hand in teaching the people their lawful Liberty, as well as their Restraints and Prohibitions: But they think a man cannot go too far in that that hath a shew of a Commandment.

They forget that there are sins on the right hand, as well as on the left; and that the word is double-edged, and cutteth on both sides, as well the profane transgressions, as the superstitious observances. Who doubteth but that it is as unlawful to shut where God hath opened, as to open where God hath shut; to bind where God hath loosed, as to loose where God hath bound. Amongst men it is commonly as ill taken to turn back favours, as to disobey Commandments. In this kind of zeal (for example) they have pronounced generally, and without difference, all untruths unlawful; notwithstanding, that the *Midwives* are directly reported to have been blessed for their excuse: And *Rahab* is said by Faith to have concealed the Spies; and *Solomon's* selected judgment proceeded upon a Simulation: And our Saviour, the more to touch the hearts of the two Disciples with an holy dalliance, made as if he would have passed *Emam*. Further, I have heard some Sermons of Mortification, which I think with very good meaning, they have preached out of their own experience and exercise, and things in private Counsels not unmeet; but surely no sound conceits, much like to *Parsons Resolution*, or not so good; apt to breed in men rather weak Opinions, and perplexed Despairs, then filial and true Repentance, which is sought.

Another point of great inconvenience and peril, is to entitle the people to hear Controversies, and all kinds of Doctrine. They say no part of the Counsel of God is to be suppressed, nor the people defrauded: So as the difference which the Apostle maketh between Milk and Strong Meat is confounded; and his Precept, that the weak be not admitted unto Questions and Controversies, taketh no place.

But



But most of all is to be suspected, as a Seed of further inconvenience, their manner of handling the *Scriptures*: For whilst they seek express *Scripture* for every thing; and that they have, in a manner, deprived themselves and the Church of a special help and support, by embasing the Authority of the *Fathers*, they resort to naked *Examples*, conceited *Inferences*, and forced *Allusions*, such as do mine into all certainty of Religion.

Another *Extremity*, is the excessive magnifying of that, which though it be a principal and most holy Institution, yet hath it limits as all things else have. We see wheresoever, in a manner, they find in the *Scriptures* the word spoken of, they expound it of *Preaching*; they have made it, in a manner, of the *Essence* of the *Sacrament* of the *Lords Supper*, to have a *Sermon* precedent; they have, in a sort, annihilated the use of *Liturgies*, and *Forms* of *Divine Service*; although the *House of God* be denominated of the Principal, *Domus Orationis*, A *House of Prayer*, and not a *House of Preaching*. As for the life of the good *Monks* and *Hermits* in the *Primitive Church*, I know they will condemn a man as half a *Papist*, if he should maintain them as other then profane, because they heard no *Sermons*. In the mean time, what *Preaching* is, and who may be said to *Preach*, they move no *Question*; but (as far as I see) every man that presumeth to speak in *Church*, is accounted a *Preacher*. But I am assured, that not a few that call hotly for a *Preaching Ministry*, deserve to be the first themselves that should be expelled. All which *Errours* and *misproceedings* they do fortify and intrench by an addicted respect to their own *Opinions*, and an impatience to hear contradiction or arguments: yea, I know some of them that would think it a tempting of God, to hear or read what may be said against them; as if there could be a *Quod bonum est, tenete*; without an *Omnia probate*, going before.

This may suffice to offer unto themselves a thought and consideration, whether in these things they do well or no? and to correct and assuage the partiality of their *Followers*. For as for any man that shall hereby enter into a contempt of their *Ministry*, it is but his own hardness of heart. I know the work of *Exhortation* doth chiefly rest upon these men, and they have zeal and hate of sin. But again, let them take heed that it be not true which one of their *Adversaries* said, *That they have but two small wants, Knowledge, and Love*. And so I conclude this *Point*.

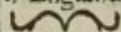
The last *Point*, touching the due publishing and debating of these *Controversies*, needeth no long Speech. This strange abuse of *Antiques* and *Pasquils* hath been touched before: So likewise I repeat that which I said, That a character of *Love* is more proper for debates of this Nature, then that of *Zeal*: As for all direct or indirect glances or levels at mens persons, they were ever in these causes disallowed.

Lastly, whatsoever be pretended, the *People* is no meet *Arbitrator*, but rather the quiet, modest, and private *Assemblies*, and *Conferences* of the *Learned*. *Qui apud Incapacem loquitur, non disceptat, sed calumniatur*. The *Press* and *Pulpit* would be freed and discharged of these Contentions; neither promotion on the one side, nor glory and heat on the other side, ought to continue those *Challenges* and *Cartels* at the *Cross*, and other places: But rather all *Preachers*, especially such as be of good temper, and have wisdom with Conscience, ought to inculcate and beat upon a Peace silence and surseance. Neither let them fear *Solons Law*, which compelled in *Factions* every particular person to range himself on the one side; nor yet the fond *Calumny* of *Neutrality*; but let them know that is true which is said by

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a wise man, That Neuters in contentions are either better or worse then ei-  
ther side.

These things have I in all sincerity and simplicity set down, touching  
the Controversies which now trouble the Church of England; and that  
without all Art and Insinuation, and therefore not like to be grateful to ei-  
ther part: Notwithstanding, I trust what hath been said shall find a cor-  
respondence in their minds which are not imbarqued in partiality, and  
which love the whole better then a part; wherefore I am not out of  
hope that it may do good; at the least I shall not repent my self of the  
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HAPPY MEMORIE  
OF  
ELIZABETH,  
QUEEN of ENGLAND.  
OR,  
A COLLECTION,  
OF THE  
FELICITIES  
OF  
Queen Elizabeth.

Written by his Lordship in Latin;  
AND  
Englified by the Publisher.

Queen Elizabeth, both of her Natural Endowments, and her Fortune, was admirable amongst Women, and Memorable amongst Princes. But this is no subject for the Pen of a meer Scholler, or any such Cloistred Writer. For these men are eager in their Expressions, but shallow in their Judgements; and perform the Schollars part well, but transmit Things but unfaithfully to Posterity. Certainly it is a Science belonging to Statesmen, and to such as sit at the Helmes of great Kingdomes, and have been acquainted with the weight and secrets of Civil Busines, to handle this matter dextrously. Rare in all Ages hath been the Reign of a Woman; more rare the Felicity of a Woman in her Reign, but most rare, a Permanency and Lasting joynd with that Felicity. As for this Lady she reigned Four and Fourty years compleat, and yet she did not survive her Felicity. Of this Felicity, I am purposed to say somewhat; yet without any Excursion into Praises; For Praises are the Tribute of Men, but Felicity the Gift of God.

First.



A Collecti-  
on of the  
Felicities  
of Queen  
Elizabeth  
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First, I reckon it as a part of her *Felicity*, that she was advanced to the *Regal throne* from a private Fortune. For this is ingenerate in the Nature and Opinions of Men, to ascribe that to the greatest *Felicity*, which is not counted upon, and cometh unlooked for; but this is not that I Intend. It is this, *Princes* that are trained up in their *Fathers Courts*, and to an immediate and apparent Hope of *Succession* do get this by the Tenderness and remissness of their *Education*; that they become (commonly) less capable, and less Temperate in their Affections. And therefore you shall find those to have been the ablest, and most accomplished *Kings*, that were Tutoured by both Fortunes. Such was with us, *King Henry* the Seventh; And with the *French Lewis* the Twelfth: Both which in recent Memory, and about the same time obtained their *Crown*, not onely from a private but also from an adverse, and afflicted Fortune; and did both excel in their several wayes; The former in *Prudence*, and the other in *Justice*. Much like was the condition of this *Princess*, whose Blossomes and Hopes, were unequally aspected by Fortune; That afterwards when she came to *Crowne*, Fortune might prove towards her alwayes Mild and Constant. For *Queen Elizabeth* soon after she was born, was entituled to the *Succession* in the *Crown*, upon the next turn disinherited again, then layed aside and slighted: During the *Reign* of her Brother, her estate was most prosperous and Flourishing; During the *Reign* of her Sister, very Tempestuous and full of Hazard. Neither yet did she pass immediately from the *Prison*, to the *Crown*, (which suddain change might have been enough to make her cast off all moderation) But first she regained her Liberty; Then there budded forth some probable Hopes of *Succession*, and lastly, in a great Still and happiness she was advanced to the *Imperial Crown*, without either Noise, or *Competition*. All which I alledge that it may appear that the *Divine Providence* intending to produce a most exquisite *Princess*, was pleased to prepare and mould her by these *Degrees of Discipline*. Neither ought the misfortune of her Mother justly to stain the pure *Stream* of her *Blood*; especially seeing it is very evident that *King Henry* the eighth did first burn with new Loves before he was enflamed with Indignation against *Queen Anne*: Neither is it unknown to the Ages since, that he was a *King* naturally prone to Loves and Jealousies; and not containing himself in those cases from the effusion of Blood. Besides, the very person for whom she was suspected, sheweth the accusation to be less probable, and built upon weak and frivolous Suppositions: Which was both secretly whispered in many Mens ears at that Time, and which *Queen Anne* her self testified by her undaunted courage, and that memorable Speech of hers at the Time of her Death. For having gotten (as she supposed) a faithfull and friendly Messenger, in the very Hour before her Death, she delivered him these words to relate unto the King; That she had ever found the King very constant and firm to his purpose of Advancing her; For first, from the estate of a Gentlewoman onely, and no way pretending to Noble Titles, he raised her to the Honour of a Marchioness; next, he vouchsafed to make her his Consort, both of his Kingdome and bed; and now that there remained no higher earthly Honour, he meant to Crown her Innocency, with the Glory of Martyrdome. But though the messenger durst not relate these words to the King, who was already enflamed with new Loves; yet certain Tradition the Conserver of Truth, hath conveyed them to posterity.

Another principal thing, which I cast into *Queen Elizabeths Felicity*, was the Time and Period of her *Reign*; Not onely for that it was Long, but also because it fell into that season of her Life, which was most Active & Fittest for



for the twaying of a *Scepter*, for she was fully five and twenty years old (at which age the Civil Law freeth from a Curator) when she came to the *Crown*, and reigned to the seventieth year of her life; so that she never suffered either the detriments of *Pupillage*, and check of an *over-aring Power*, or the inconveniencies of an impotent and unwieldy *old age*; and old age is not without a competent portion of miseries, even to private men; but to *Kings*, besides the common burden of years, it brings for the most part a declining in the Estates they govern, and a conclusion of their lives without honour. For there hath scarce been known a *King* that hath lived to an extreme and impotent old age, but he hath suffered some detriment in his *Territories*, and gone less in his *Reputation*. Of which thing there is a most eminent example in *Philip the Second, King of Spain*, a most puissant *Prince*, and an excellent *Governour*, who in the last years of his life, and impotent old age, was sensible of this whereof we speak; and therefore with great circumspection submitted himself to *Natures Law*, voluntarily surrendered the *Territories* he had gotten in *France*; established a firm peace in that *Kingdom*, attempted the like in other places, that so he might transmit his *Kingdoms* peaceable and entire to his next *Heir*. Contrary-wise, *Queen Elizabeths Fortune* was so constant and deeply rooted, that no disaster in any of her *Dominions* accompanied her indeed declining, but still able years: Nay further, for an undeniable token of her *felicity*, she died not before the *Rebellion in Ireland* was fortunately decided, and quashed by a *Battel* there, least otherwise it might have defalked from the total sum of her *glory*. Now the condition also of the *people* over whom she reigned, I take to be a matter worthy our observation; for if her Lot had fallen amongst the desolate *Palmyrens*, or in *Asia*, a soft and effeminate Race of men, a *Woman-Prince* might have been sufficient for a *Womanish people*: But for the *English*, a Nation stout and warlike, to be ruled by the check of a *Woman*, and to yield so humble obedience to her, is a thing deserving the highest admiration.

Neither was this disposition of her *people* (hungry of War, and unwillingly bowing to peace) any impediment to her, but that she enjoyed and maintained *peace* all her daies: And this *desire* in her of *peace*, together with her fortunate accomplishment thereof, I reckon to be one of her chiefest praises. For this was happy for her times, comely for her Sex, and comfortable to her Conscience. Indeed, about the tenth year of her *Reign*, there was an offer of a *Commotion* in the *Northern parts*, but it was soon laid asleep and extinguished; but all her *Reign* beside was free from the least breath or air of *Civil Broils*. Now I judge the *Peace* maintained by her to be the more eminent for two causes, which indeed make nothing for the *Merit* of that *Peace*, but much for the *Honour*: The one, that it was set off, and made more conspicuous by the broils and dissensions of *Neighbouring Nations*, as it were by so many *Lights* and torches: The other, that amidst the benefits of *peace* she lost not the *Honour of Arms*; insomuch, that the *Reputation* of the *English Arms* was not only preserved, but also advanced by her upon many glorious occasions. For the *Succours* sent into the *Netherlands*, *France*, and *Scotland*, the *Expeditions* by *Sea* into both the *Indies*, whereof some circled the whole *Globe* of the *Earth*; the *Fleets* sent into *Portugal*, and to annoy the *Coasts* of *Spain*: And lastly, the often suppressions and overthrowes of the *Rebels* in *Ireland*, did both shew the *Warlike Prowess* of our *Nation* to be no whit diminished, and did much encrease the *Renown* of the *Queen*.

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A Collecti-  
on of the  
Felicities  
of Queen  
Elizabeth.  
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There was another thing that did greatly advance her Glory! That both by her timely *Succours*, her *Neighbour Kings* were settled in their *Rightful Thrones*, and the *Suppliant People* (who by the ill Advisedness of their *Kings* were abandoned and given over to the Cruelty of their *Ministers*, and to the Fury of the multitude, and to all manner of *Burthen* and *Desolation*, were relieved by her; By Reason whereof they subsist unto this Day. Neither was she a *Princess* less Benign and Fortunate in the Influence of her *Counsels*, than of her *Succours*; As being one that had oftentimes interceded to the *King of Spain*, to mitigate his wrath against his *Subjects* in the *Netherlands*, and to reduce them to his Obedience upon some tolerable Conditions; And further, as being one that did perpetually and upon all occasions, represent to the *French Kings* the Observation of their own *Edicts*, so often declaring and promising peace to their *Subjects*. I cannot deny but that these good *Counsels* of hers wanted the Effect: In the former I verily believe for the *Universal good* of *Europe*, least happily the *Ambition* of *Spain* being unloosed from his Fetters should have poured it self as things then stood) upon the other *Kingdomes*, and *States* of *Christendome*: And for the latter the *Blood* of so many *Innocents* with their *Wives* and *Children* slain within their own *Harbours* and *Nests* by the Scum of the People, (who like so many *Mastives* were let loose and heartened and even set upon them by the State) would not suffer it; which did continually cry unto God for Vengeance, that so *Blood-sucking* a *Kingdome* might have her fill thereof, in the intestine *Slaughters* and *Consumption* of a *Civil War*. Howsoever she persisted to perform the part of a wise and loving *Confederate*.

There is another Cause also for which we may justly admire this Peace so constantly pursued and maintained by the *Queen*. And that is, that it did not proceed from any *Vent* or *Inclination* of those *Times*; But from the *Prudence* of her *Government* and discreet *Carriage* of things. For whereas she her self was not without manifest *Danger* from an ill affected *Party* at home, for the Cause of *Religion*, and that the *Strength* and *Forces* of this *Kingdome* were in the Place of a *Bulwark* to all *Europe* against the then dreadful and overflowing *Ambition* and *Power* of the *King of Spain*; She might have apprehended just Cause of a *War*: But as she was still ready with her *Counsel*, so she was not behind hand with her *Forces*. And this we are taught by an event the most Memorable of any in our time, if we look upon the *Felicity* thereof. For when as the *Spanish Navy* (set forth with such wonderful Preparations in all kinds, the Terrour and amazement of all *Europe* carried on with almost Assurance of victory) came braving upon our *Seas*; It took not so much as one poor *Cock-boat* of ours nor fired any one *Village*, nor landed one *Man* upon *English Ground*; But was utterly defeated and after a shamefull Flight and many shipwracks quite dispersed, So as the *Peace* of this *Kingdom* was never more Firm and Solid. Neither was her *Felicity* less in escaping Treacherous Attempts at home, then in subduing and defeating fortain *Invasions*. For not a few *Treasons* plotted against her Life, were most fortunately discovered and disappointed. And this was no cause to make her lead a more fearful or dissident life then before. No new *Encrease* of her *Guard* no *Immuring* her self within her own *Walls*, or forbearing to be seen abroad; But as one assured and confident, and that was more mindful of her *Escape* from *Danger*, then of the *Danger* it self, she was constant to her former *Customes* and *Fashions*.

Furthermore, it is worth our labour to consider the *Nature* of the *Times* in which she *Reigned*. For there are some *Times* so *Barbarous* and *Ignorant* that



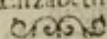
that it is no greater matter to govern *People*, than to govern a *Flock of Sheep*. But this *Queen*, fell upon Times of singular Learning and Sufficiency; in which it was not possible to be eminent, without admirable Endowments of wit, and a Rare Temper of Vertue. Again the *Reigns of Women* are for the most part obscured by their *Husbands*: Upon whom all their praises and worthy Acts do reflect: As for those that continue unmarried, it is they that impropriate the whole glory, and merit to themselves. And this was the peculiar Glory of this *Princess*, that she had no props or supports of her Government, but those that were of her own making. She had no *Brother*, the *Son* of her *Mother*; No *Uncle*, none other of the *Royal Blood and Linage* that might be Partner in her Cares, and an Upholder of the *Regal Dignity*. And as for those, whom she raised to Honour, she carried such a discrete hand over them, and so enterechanged her Favours as they still strived in Emulation and Desire to please her best, and she herself remained in all things an *Absolute Princess*. Childless she was, and left no *Issue* behind Her, which was the Case of many of the most fortunate *Princes*, *Alexander the Great*, *Julius Caesar*, *Trajan* and others. And this is a Case, that hath been often controverted and argued on both sides, whilest some hold the want of Children to be a Diminution of our Happiness; as if it should be an Estate more than Humane to be happy both in our own Person, and in our descendants; but others do account the want of Children as an Addition to *Earthly Happiness*, in as much as that happiness may be said to be complete, over which *Fortune* hath no power, when we are gone: Which if we leave Children cannot be.

She had also many *Outward Gifts of Nature*: A tall *Stature*; A comely and straight *Making*, an extraordinary Majesty of *Aspect*, joyned with a *Sweetness*, a most happy and Constant *Healthfulness* of Body. Unto which I may add, that in the full Possession both of her *Limbs* and *Spirits* until her last Sickness (having received no Blow from Fortune, nor decay from Old Age;) she obtained that which *Augustus Caesar* so importunately prayed for; *An easie and un-  
distempred passage out of this World*. Which also is reported of *Antoninus Pius*, that excellent Emperour; Whose Death had the Resemblance of some soft and pleasing Slumber. So in *Queen Elizabeths Disease*, there was no ghastly or fearful Accident; No *Idleness* of Brain; Nothing unaccustomed to *Man* in general: She was not transported either with desire of Life, or Tedioufness of Sicknes, or extremity of Pains. She had no grievous or uncomely Symptoms, But all things were of that kind, as did rather shew the *Frailty of Nature*, than a *Deviation* or *Reproach* of it. For some few dayes before her Death, being much pined with the extreame Drought of her Body and those Cares that accompany a *Crown*, and not wonted to refresh her self with *Wine*, or any Liberal Diet; She was strook with a *Torpor* and *Frigidity* in her Nerves; Notwithstanding which is rare in such Diseases, she retained both her *Speech* and *Memory* and *Motion* though but slow and weak even to the end. And in this Case, she continued but a few dayes; So as it cannot be called the last Act of her Life, but the first step to her Death. For as it is a miserable condition to see the faculties of our Body buried before us; and to survive long after them; So it is a Fair and natural conclusion of our Life, when the Senses are by little and little laid asleep that the Dissolution of the whole should immediately follow.

I will adde one thing more to make up the full Measure of her *Felicity*: which is that she was not only most Happy in her own Person, but in the Abilities and vertues of her *Servants*, and *Ministers*, for she was served by such Persons as I suppose this *Island* never brought forth the like before her times.



A Collecti-  
on of the  
Felicities  
of Queen  
Elizabeth.



Now when God beareth a love to *Kings*, no doubt he raiseth up the *Spirits* of *Wise Servants* as a concurrent Blessing.

There are two fair *Issues* of her *Happiness*, born to her since her *Death*, I conceive not less *Glorious* and *Eminent* than those she enjoyed alive. The one of her *Successor*, The other of her *Memory*. For she hath gotten such a *Successor*, who although for his *Masculine Vertues*, and *Blessing* of *Posterity*, and *Addition* of *Territories*, he may be said to exceed her greatness and somewhat to obscure it; Notwithstanding, he is most zealous of her *Name* and *G'ory*; And doth even give a *Perpetuity* to her *Acts* considering both in the *Choice* of the *Person*, and in the *Orders*, and *Institutions* of the *Kingdome*, he hath departed so little from her so as a *Son* could hardly succeed a *Father*, with less *Noise* or *Innovation*. As for her *Memory* it hath gotten such *Life* in the *Mouths* and *Hearts* of *Men*, as that *Envy* being put out by her *Death*, and her *Fame* lighted, I cannot say whether the *Felicity* of her *Life*, or the *Felicity* of her *Memory* be the greater. For if (perhaps) there fly abroad any *factions Fames* of her, raised either by discontented *Persons*, or such as are averse in *Religion*; (which notwithstanding dare now scarce shew their *Faces*, and are every where cryed down;) The same are neither true, neither can they be long liv'd. And for this cause especially, have I made this *Collection* (such as it is) touching her *Felicity*, and the *Marks* of *Gods Favour* towards Her; That no malicious *Person* should dare to interpose a *Curse*, where *God* hath given a *Blessing*. Now if any *Man* shall alledge that against me, was once said to *Cæsar*; We see what we may admire, but we would faine see what we can commend; Certainly, for my part, I hold true *Admiration* to be the highest Degree of *Commendation*. And besides such *Felicities* as we have recounted could not befall any *Princess*, but such an one as was extraordinarily supported, and cherished by *Gods Favour*; And had much in her own *Person*, and rare *Vertues* to create and worke out unto her self such a *Fortune*. Notwithstanding, I have thought good to insert something now concerning her *Moral Parts*. Yet only in those things, which have ministred occasion, to some Mallicious to traduce her.

This *Queen*, as touching her *Religion*, was *Pious*, *Moderate*, *Constant*, and an *Enemy* to *Novelty*. First for her *Piety*, though the same were most conspicuous in her *Acts* and the *Form* of her *Government*; yet it was *Pourtrayed* also in the common course of her *Life*, and her daily *Comportment*. Seldome would she be absent from *Hearing Divine Service*, and other *Duties* of *Religion*, either in her *Chappel*, or in her *Privy Closet*. In the reading of the *Scriptures*, and the writings of the *Fathers*, especially of *Saint Augustine*, she was very frequent. She composed certain *Prayers* her self upon emergent occasions. Whensoever she named *God*, though it were in common discourse, she would for the most part add the Title of *Maker*, saying, *God my Maker*: And compose both her eyes and Countenance to a *Submissiveness* and *Reverence*. This I have often (my self) observed, being in her presence. Now whereas some have divulged her unmindfulness of *Mortality*, in that she would never endure any *Mention* either of her *Age*, or *Death*, it is most false: For she would often and that many years before her *Death*, with a great deal of *Meekness* profess that she found her self grown an old *Woman*, and she would sometimes open her self what she liked best, for an *Inscription* upon her *Tombe*, saying, that she loved no pompous or vain glorious *Titles* but would only have a line or two for her *Memory*, wherein her *Name* and her *Virginity*, and the years of her *Reign*, and her establishing of *Religion*; and her maintaining of *Peace*, should be in the fewest words com-



prehended. It is true, that whilst she was in her vigorous years, and able to bear Children, if at any time she were moved to declare her *Successor*, she would make answer, *That she would never endure to see her winding sheet before her eyes.* And yet notwithstanding some few years before her death, one day when she was in a deep meditation, and (as it may be guessed) in that of her *Mortality*, one that might be bold said unto her; *Madam, there are divers Offices, and great places in the State, which you keep too long void.* She arose up in some displeasure, and said, *I am sure my Office will not be long void.*

As for her *moderateness* in Religion, I shall seem to be at a stand, in regard of the severe *Laws* made against her *Subjects* of the *Romish Religion*: Notwithstanding, that which I shall say is no more then what I know for certain, and diligently observed. Most certain it is, that it was the firm resolution of this *Princess*, not to offer any violence to *Consciences*: But then, on the other side, not to suffer the *State* of her *Kingdom* to be ruined, under pretence of *Conscience* and Religion. Out of this Fountain she concluded; First, That to allow Freedom and Tolleration of two Religions by publick Authority, in a *Nation* Fierce and Warlike, and that would easily fall from dissention of minds to siding and blows, would bring inevitable ruine to this *Kingdom*. Again, in the newness of her *Reign*, when there was a general distrust, she singled out some of the *Bishops* of the most turbulent and factious spirits, and committed them to free Custody; and this not without the warrant of former *Laws*. As for the rest, either of the *Clergy* or *Laity*, she did not ransack their *Consciences* by any severe *Inquisition*, but rather secured them by a gracious connivency: And this was the state of things at the first. Neither did she depart from this Clemency, when the *Excommunication* of *Pius Quintus* came thundring against her, which might both justly have provoked her, and have ministred occasion to new courses, but howsoever she followed her *Royal Nature* still: For as a wise Lady, and of a high courage, she was not a whit terrified at the roaring of a *Bull*, being well assured of her *peoples* love and fidelity towards her, as also of the disability of the *Popish Faction* within the *Kingdom* to do her hurt, if no *Foreign Enemy* joyned with them. But then, about the three and twentieth year of her *Reign* there followed a mighty Change. And this distinction of the Times is not any device of mine, but it is expressed in the publick *Acts* of that *Time*, and as it were cut in brass: for before that year was there never any *Capital* or severe punishment inflicted upon any of her *Subjects*, as they had Relation to the *Romish Religion* by the *Laws* formerly made. But just then began that proud and vast intention of *Spain* to conquer this *Kingdom*, by little and little to shew it self. Of this the principal part was to stir up by all means a *Party* within the *Kingdom* of such as were ill-affected to the *State*, and desirous of *Innovation*, that might adhere to the *Forreigner* at his landing. For this they had no other hopes then the difference in Religion; wherefore they set it down to pursue this course with all their power: And the *Seminaries* at that time budding, *Priests* were sent into *England* to plant and disperse a love to the *Romish Religion*; to teach and inculcate the power of the *Popes Excommunication* in freeing *Subjects* from their Allegiance, and to awaken and prepare the minds of men to an expectation of a Change. About the same time *Ireland* also was attempted by an *Invasion*, and the *Queens Name* and *Government* traduced by sundry and scandalous *Libels*. To be short, there was an unusual swelling in the *State*, the *Forerunner* of greater Troubles: Yet I will not affirm, that every *Priest* which was sent over was made of the *Council*, or privy to the *Enterprise*, but

A Collection  
of the  
Felicities  
of Queen  
Elizabeth.



A Collection  
of the Fel-  
cities of  
Queen Eli-  
zabeth.

But that some of them became the wicked instruments only of other mens malice. Notwithstanding this is true, and witnessed by the Confessions of many, that almost all the Priests which were sent into this Kingdom from that aforesaid year, unto the thirtieth year of *Queen Elizabeth's* Reign (at what time that Design of the Pope and Spain was put into execution by those memorable preparations of the Navy and Land forces) had in their instructions besides other parts of their Function, to distill and inuade into the people these particulars; *it was impossible things should come at this day, they should see ere long a great change in this State, that the Pope, and Catholick Princes were careful for the English, if they would not be wanting to themselves.* Again, sundry of the Priests did manifestly interpose themselves into those Consultations and Plots which tended to the undermining and ruining of this Kingdom: And (which especially moved her) Letters were intercepted out of divers parts that discovered the true face of the Plot, in which was written, that they doubted not to go beyond the vigilancy of the Queen and State in the matter of Catholics; for the Queen would only have an eye, least there should arise any *fit Head*, in the Person of some Lord, or other Eminent Gentleman of Quality, under whom the Catholics might unite: But they had thought upon another course, as namely, by private men, and those but of mean Rank, that should not confer, nor scarce know of each others employments, to prepare and mature the business by the *secrecie* of Confession. And these were their Engines the which (as hath appeared since in a case not much unlike) are usual and familiar to that Order of men. In this great Deluge of danger, there was a necessity imposed upon *Queen Elizabeth* to restrain, by some sharper bands of Laws, that part of her Subjects which were alienated from her, and had drunk too deep a draught of this Poyson ever to recover; And further, which by their retired living, and exemption from Publick Offices, were grown very rich: And moreover, the mischief daily growing, when as the cause thereof was ascribed to none other then the *Seminary Priests*, who had been nourished in Forreign parts, and received Exhibition from the bounty and alms of Forreign Princes, professed Enemies to this State; and who had conversed in such places where the Name of *Queen Elizabeth* was never heard, but as of an *Heretick*, and *Excommunicate*, and *accursed person*; and who, though themselves (sometimes) had no hand in *Treason*, yet they were known to be the intimate friends of them that had. And lastly, who by their Arts and Poysons had infected, and soured the mass and lump of the Catholics, which before was more sweet and harmless, with a new kind of *Lewen*, and desperate *maliciousness*: There could no other remedy be devised, but by forbidding such persons to enter into this Kingdom, upon pain of their lives; which at last, in the twenty seventh year of her Reign, was accordingly done. Nay, and when the event it self had confirmed this to be true (I mean immediately after that the dreadful Tempest arose from Spain, threatening no less then utter desolation) yet did it nothing mollifie or turn the edge of these mens malice and fury, but rather whetted it, as if they had cast off all Natural affection to their Country. As for the Times succeeding (I mean after the thirtieth year of her Reign) though indeed our fear of Spain, which had been the Spur to this Rigour, had fairly breathed out, or was well abated; yet considering the memory of Times past had made so deep impression in mens hearts and cogitations, and that it would have seemed either *Inconstancy* to repeal those former Laws, or *sloth* to neglect them, the very Constitution of things did suggest to the Queen, that it was not safe to reduce them unto that

State



State wherein they had continued until the three and twentieth year of her Reige. Hereunto may be added the industry of some persons in improving the Revenues of the Exchequer; and the zeal of some other Ministers of Justice, which did never think their Country safe, unless the Laws were rigorously executed; all which did importune and press the execution of the Laws. Notwithstanding, the Queen for a manifest token of her Royal Nature, did so dull the edge of the Laws, that but a very few Priests, in respect of their number did suffer death. Now all this which I have said is not by way of defence, for the matter needs it not; for neither could this Kingdom have been safe without it, neither were the proceedings any way comparable or of Kin to those bloody and unchristianly Massacres in the Catholick Countries, which proceeded meerly from rancour and pride, and not from any necessity of State: Howsoever, I hope I have made my first Assertion good, that she was moderate in the point of Religion, and that the Change which happened was not in her Nature, but upon the necessity of the Times.

Now for the Constancy of Queen Elizabeth in Religion, and the observance thereof, I know no better argument then this, That although she found the Romish Religion confirmed in her Sisters daies by Act of Parliament, and established by all strong and potent means that could be devised, and to have taken deep root in this Kingdom; and that all those which had any Authority, or bear any Office in the State had subscribed to it; yet for that she saw it was not agreeable to the Word of God, nor to the Primitive Purity, nor to her own Conscience, she did, with a great deal of courage, and with the assistance of a very few persons, quite expel and abolish it. Neither did she this by precipitate and heady courses, but timing it wisely and soberly. And this may well be conjectured, as from the thing it self, so also by an Answer of hers which she made upon occasion. For within a very few daies of her coming to the Crown, when many Prisoners were released out of Prison, (as the Custom is at the Inauguration of a Prince) there came to her one day as she was going to Chappel, a certain Courtier that had the liberty of a Buffone, and either out of his own motion, or by the instigation of a wiser man, presented her with a Petition; and before a great number of Courtiers said to her with a loud voice, That there were yet four or five prisoners unjustly detained in Prison; he came to be a Suitor to have them set at liberty; these were the four Evangelists, and the Apostle Saint Paul, who had been long shut up in an unknown tongue, as it were in Prison, so as they could not converse with the common people. The Queen answered very gravely, That it was best first to enquire of them, whether they would be set at liberty or no. Thus she silenced an unreasonable motion with a doubtful answer, as reserving the matter wholly in her own power. Neither did she bring in this alteration timorously, or by pieces, but in a grave and matute manner, after a Conference betwixt both Sides, and after the Calling and Conclusion of a Parliament. And thus within the compass of one year, she did so establish and settle all matters belonging to the Church, as she departed not one hairs breadth from them to the end of her life: Nay, and her usual custom was in the beginning of every Parliament to forewarn the Houses not to question or innovate any thing already established in the Discipline or Rites of the Church. And thus much of her Religion.

Now if there be any severer nature that shall tax her for that she suffered her self, and was very willing to be courted, wooed, and to have Sonnets made in her commendation; and that she continued this longer then was decent for her

A Collection  
of the  
Felicities  
of Queen  
Elizabeth.

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A Collection
of the Felic-
ities of
Queen Eli-
zabeth.

her years: Notwithstanding, if you will take this matter at the best it is not without singular admiration, being much like unto that which we find in *fabulous Narrations*, of a certain *Queen* in the *Fortunate Islands*, and of her *Court and Fashions*, where *Fair purpose* and *Love-making* was allowed, but *Lasciviousness* banished. But if you will take it at the worst, even so it amounteth to a more high admiration, considering that these *Courtships* did not much eclipse her *Fame*, and not at all her *Majesty*; neither did they make her less apt for *Government*, or creak with the affairs and businesses of the *Publick*; for such passages as these do often entertain the time, even with the greatest *Princes*. But to make an end of this discourse, certainly this *Princess* was good and moral, and such she would be acknowledged: She detested *Vice*, and desired to purchase *Fame* only by honourable courses. And indeed whilst I mention her *moral parts*, there comes a certain passage into my mind which I will insert. Once giving order to write to her *Embassador* about certain *Instructions* to be delivered apart to the *Queen-Mother* of the *House of Valois*, and that her *Secretary* had inserted a certain *Clause* that the *Embassador* should say, as it were to endear her to the *Queen-Mother*; That they two were the only pair of *Female Princes*, from whom for experience and *Arts of Government*, there was no less expected then from the greatest *Kings*: She utterly disliked the *Comparison*, and commanded it to be put out saying, That she practised other principles and *Arts of Government*, than the *Queen Mother* did. Besides, she was not a little pleased, if any one should fortune to tell her, that suppose she had lived in a *private Fortune*, yet she could not have escaped without some *Note of Excellency* and *Singularity* in her *Sex*. So little did she desire to borrow or be beholding to her *Fortune* for her *Praise*. But if I should wade further into this *Queens Praises*, *Moral* or *Politick*, either I must slide into certain *Common places*, and *Heads of Vertue*, which were not worthy of so great a *Princess*; Or if I should desire to give her *Vertues* the true *Grace* and *Lustre*, I must fall into a *History* of her *Life*; Which requireth both better *Leisure* and a better *pen* then mine is. Thus much in brief according to my ability: But to say the *Truth*; The only *Commender* of this *Ladies vertues*, is *Time*; which for as many *Ages* as it hath run, hath not yet shewed us one of the *Female Sex* equal to her in the *Administration* of a *Kingdome*.

AN



A BRIEF

DISCOURSE,

Of the Happy

UNION

OF THE

KINGDOMES

OF

ENGLAND and SCOTLAND;

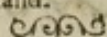
Dedicated in Private

TO

HIS MAJESTY.

Do not find it strange, (excellent King) that when
Heraclitus (he that was surnamed the *Obscure*) had set
 forth a certain *Book* (which is not now extant) many
 Men took it for a *Discourse of Nature*, and many o-
 thers took it for a *Treatise of Policy*. For there is a great
 Affinity and Consent between the *Rules of Nature*, and
 the true *Rules of Policy*: The one being nothing else but
 an Order in the Government of the *World*; And the
 other an Order in the Government of an *Estate*. And therefore the Edu-
 cation, and Erudition of the *Kings of Persia*, was in a *Science* which was
 termed by a Name then of great Reverence; but now degenerate and ta-
 ken in the ill part. For the *Persian Magick*, which was the secret Lite-
 rature of their *Kings* was an Application of the Contemplations and Ob-
 servations of *Nature*, unto a sense *Politick*; Taking the *Fundamental Lawes*
 of *Nature*, and the Branches and passages of them, as an Original or first
 Model whence to take and describe a Coppy and Imitation, for Government.

A Discourse
of the Onto-
logy of En-
gland.
and Scot-
land.



After this manner the aforesaid *Instructors* set before their *Kings* the Examples of the *Celestial Bodies*; the *Sun*, the *Moon*, and the rest; which have great Glory, and veneration but no rest or Intermision: Being in a perpetual Office of Motion, for the Cherishing (in turn and in Course) of *Inferiour Bodies*: Expressing likewise the true manner of the Motions of Government, which though they ought to be Swift and Rapide, in respect of Dispatch, and Occasions, yet are they to be Constant and Regular, without Wavering or Confusion.

So did they represent unto them how the *Heavens* do not enrich themselves by the *Earth* and the *Seas*, nor keep no dead Stock, nor untouched Treasures, of that they draw to them from below; But whatsoever Moisture they do levy and take from both *Elements* in *Vapours*, they do spend and turn back again in *Showers*, only holding and storing them up for a time, to the end to issue and distribute them in a Season.

But chiefly, they did express and expound unto them, that *Fundamental Law of Nature*, whereby all things do subsist and are preserved: which is that every Thing in *Nature*, although it hath his private and particular affection, and Appetite, and doth follow and pursue the same in small Moments; and when it is free and delivered from more general and common respects, yet nevertheless, when there is Question or Case, for sustaining of the more general, they forsake their own particularities, and attend and conspire to uphold the publick.

So we see the *Iron* in small Quantity will ascend and approach to the *Loadstone*, upon a particular Sympathy: but if it be any Quantity of moment, it leaveth his appetite of Amity to the *Loadstone*, and like a good Patriot falleth to the *Earth*, which is the *Place* and *Region* of *Majesty Bodies*.

So again the *Water* and other like *Bodies*, do fall towards the *Center* of the *Earth*, which is (as was said) their *Region*, or *Countrie*: And yet we see nothing more usual in all *Water Works* and *Engines*, than that the *Water* (rather than to suffer any *Disfranchisement* of *Disunion* in *Nature*) will ascend, Forsaking the Love to his own *Region* or *Countrie* and applying it self to the *Body* next adjoyning.

But it were too long a digression to proceed to more Examples of this kind. Your *Majesty* your self did fall upon a passage of this *Mature* in your gracious *Speech* of *Thanks* unto your *Counsel*; when acknowledging Princely their *Vigilancies* and well deservings, it pleased you to note, that it was a success and Event, above the Course of *Nature*, to have so great *Change*, with so great a *Quiet*. Forasmuch as sudden *Mutations* as well in *State* as in *Nature*, are rarely without violence and perturbation. So still I conclude there is (as was said) a *Congruity* between the *Principles* of *Nature* and *Policy*. And lest that *Instance* may seem to oppone to this Assertion, I may even in that particular with your *Majesties* favour offer unto you a *Type* or *Pattern* in *Nature* much resembling this event in your *State*; Namely *Earthquakes* which many of them bring ever much Terror and wonder, but no actual hurts; The earth trembling for a moment & suddenly stablishing in perfect quiet as it was before.

This *Knowledge* then of making the Government of the *World*, a *Mirror* for the Government of a *State*, being a *Wisdom* almost lost (Whereof the reason I take to be because of the Difficulty for one man to embrace both *Philosophies*) I have thought good to make some proof (as far as my weakness and the Straights of Time will suffer) to revive in the handling of one particular wherewith now I most humbly present your *Majesty*: For surely, as hath been said it is a *Form* of discourse anciently used towards

Kings

Kings, and to what *King* should it be more proper than to a *King* that is studious to conjoyn contemplative vertue, and active vertue together?

Your Majesty is the first *King* that had the honour to be *Lapis Angularis* to unite these two mighty and warlike Nations of England and Scotland under one Sovereignty and Monarchy. It doth not appear by the Records and memories of any true History; Or scarcely by the Fiction and Pleasure of any *Fabulous Narration* or Tradition that ever of any Antiquity this Island of Great Britain was united under one *King*, before this day. And yet there be no Mountains nor Races of Hills, there be no Seas or great Rivers, there is no Diversity of tongue or Language that hath invited or provoked this ancient separation or Divorce. The Lot of Spain was to have the several Kingdomes of that Continent (*Portugal* onely except) to be united in an Age not long past, and now in our age that of *Portugal* also, which was the last that held out to be incorporate with the rest. The Lot of France hath been much about the same time, likewise to have reannexed unto that Crown, the several *Dutchies* and *Provinces* which were in former times dismembred. The Lot of this Island is the last reserved for your Majesties happy times, by the special Providence and Favour of God, who hath brought your Majesty to this happy Conjunction with great Consent of hearts, and in the strength of your years, and in the maturity of your experience. It resteth but that (as I promised) I set before your Majesties princely consideration, the Grounds of Nature touching the Union and Commixture of Bodies, and the Correspondence which they have with the Grounds of Policy in the Conjunction of States and Kingdoms.

First, therefore, that Position; *Vis unita fortior*, being one of the common Notions of the mind, needeth not much to be induced or illustrated.

We see the Sun when he entreteth, and while he continueth under the sign of *Leo*, causeth more vehement heats than when he is in *Cancer*, what time his Beams are nevertheless more perpendicular. The Reason whereof, in great part hath been truly ascribed to the Conjunction, and Cor-Radiation in that place of Heaven, of the Sun with the four Stars of the first Magnitude, *Syrius*, *Canicula*, *Cor Leonis*, and *Cauda Leonis*.

So the Moon likewise by ancient Tradition, while she is in the same Sign of *Leo*, is said to be at the Heart, which is not for any Affinity, which that place of Heaven can have, with that part of Mans Body but only because the Moon is then by reason of the Conjunction and Nearness with the Stars aforementioned, in greatest strength of Influence, and so worketh upon that part in Inferiour Bodies, which is most Vital and Principal.

So we see Waters and Liquors, in small Quantity do easily putrefie and corrupt; but in large Quantity sublast long, by reason of the Strength they receive by Union.

So in Earthquakes, the more general do little hurt, by reason of the united weight, which they offer to subvert; but narrow and particular Earthquakes have many times overturned whole Towns and Cities.

So then this Point touching the Force of Union is evident. And therefore it is more fit to speak of the Manner of Union: wherein again it will not be pertinent to handle one Kind of Union, which is Union by Victory, when one Body doth meerly subdue another, and converteth the same into his own Nature, Extinguishing and Expelling what part soever of it, it cannot overcome. As when the Fire converteth the Wood into Fire purging

AD sense
of the Uni-
on of En-
gland,
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land.

A Discourse
of the Uni-
on of Eng-
land and
Scotland.

away the *Smoke* and the *Asbes*, as unapt matter to enflame: Or when the *Body* of a *Living Creature*, doth convert and assimilate, *Food* and *Nourishment*, purging, and expelling whatsoever it cannot convert For these Representations do answer in matter of *Policy* to *Union* of *Countries* by *Conquest*, where the *Conquering State* doth extinguish, extirpate, and expulse any part of the *State Conquered* which it findeth so contrary as it cannot alter, and convert it. And therefore, leaving *violent Unions* we will consider on'y of *Natural Unions*.

The *Difference* is excellent which the best *Observers* in *Nature* do take, between *Compositio*, and *Mistio*, putting together and mingling: the one being but a *Conjunction* of *Bodies*, in place, the other in quality and consent: The one the *Mother* of *Sedition* and *Alteration*, the other of *Peace* and *Continuance*: The one rather a *Confusion* than an *Union*, the other properly an *Union*. Therefore we see those *Bodies* which they call *Imperfecta mista*, last not but are speedily dissolved. For take for Example, *Snow*, or *Froath*, which are *Compositions* of *Air* and *Water*, and in them you may behold how easily they seve and dissolve the *Water*, closing together, and excluding the *Air*.

So those three *Bodies* which the *Alchymists* do so much celebrate as the three *Principles* of things; That is to say; *Earth*, *Water*, and *Oyl*; (which it pleaseth them to term *Salt*, *Mercury*, and *Sulphur*,) we see, if they be united only by *Composition* or putting together how weakly and rudely they do incorporate: For *Water* and *Earth* maketh but an unperfect slime: And if they be forced together by *Agitation*, yet upon a little settling, the *Earth* resideth in the *Bottom*. So *Water* and *Oyl*, though by *Agitation*, it be brought into an *Ointment*, yet after a little settling the *Oyl* will float on the *Top*: So as such imperfect *Mixtures* continue no longer than they are forced; And still in the end the worthiest getteth above.

But otherwise it is of perfect *Mixtures*. For we see these three *Bodies* of *Earth*, *Water* and *Oyl*, when they are joyned in a *Vegetable* or *Mineral* they are so united, as without great subtilty of *Art* and *Force* of *Extraction* they cannot be separated and reduced into the same simple *Bodies* again. So as the difference between *Compositio*, and *Mistio* clearly set down is this: That *Compositio* is the *Joyning* or putting together of *Bodies* without a new *Form*; and *Mistio* is the *Joyning* or putting together of *Bodies* under a new *Form*. For the new *Form* is *Commune vinculum*, and without that the old *Forms* will be at *Strife* and *Discord*.

Now to reflect this *Light* of *Nature* upon *Matter* of *Estate*: There hath been put in practise in *Government* these two several kinds of *Policy*, in *Uniting*, and *Conjoyning* of *States* and *Kingdoms*: The one to retain the ancient *Form* still severed and only conjoyned in *Soveraignty*: The other to super induce a new *Form* agreeable and convenient to the entire *Estate*. The former of these hath been more usual and is more Easie; but the latter is more Happy. For if a man do attentively revolve *Histories* of all *Nations*, and judge truly thereupon, he will make this *Conclusion*: That there was never any *States*, that were good *Commixtures* but the *Romans*. Which because it was the best *State* of the *World*, and is the best *Example* of this *Point* we will chiefly insist thereupon.

In the *Antiquities* of *Rome*, *Virgil* bringeth in *Jupiter* by way of *Oracle* or *Prediction*, speaking of the *Mixture* of the *Trojans* and the *Italians*.

*Sermonem Aufonii Patrium, moresque tenebant,
Utque est Nomen erit; Commixti Corpore tantum,
Subsident Teuctri, Morem, Ritusque Sacrorum
Adjiciam; faciamque omnes uno ore Latinos.
Hinc Genus Aufonio mixtum, quod sanguine surget,
Supra Homines, supra ire Deos pietate videbis.*

*A Discourse
of the Union
of England and
Scotland.*

Wherein Jupiter maketh a kind of Partition or Distribution; That Italy should give the Language and the Lawes; Troy should give a Mixture of Men, and some Religious Rites; And both People should meet in one Name of Latins.

Soon after the Foundation of the City of Rome, the People of the Romans and the Sabines mingled upon equal Terms. Wherein the Interchange went so even that (as Livy noteth) the one Nation gave the Name to the place, the other to the People. For Rome continued the Name, but the people were called Quirites, which was the Sabine word derived of Cures the Countrey of Tatius.

But that which is chiefly to be noted in the whole Continuance of the Romane Government; they were so liberal of their Naturalizations, as in effect they made perpetual Mixtures. For the manner was to grant the same, not only to particular persons, but to Families, and Lineages; And not only so, but to whole Cities and Countries. So as in the end it came to that, that Rome was *Communis Patria*, as some of the Civilians call it.

So we read of Saint Paul after he had been beaten with Rods, and thereupon charged the Officer with the violation of the Priviledge of a Citizen of Rome; The Captain said to him; *Art thou then a Romane? That Priviledge hath cost me dear.* To whom Saint Paul replied; *But I was so born, and yet,* in another place, Saint Paul professeth himself, that he was a Jew by Tribe: So as it is manifest that some of his Ancestors were naturalized; and so it was conveyed to him and their other descendants.

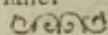
So we read, that it was one of the first Despites that was done to Julius Caesar, that whereas he had obtained Naturalization for a City in Gaul, one of the City was beaten with Rods of the Consul Marcellus.

So we read in Tacitus, that in the Emperour Claudius's time, the Nation of Gaul (that part which is called *Comata*, the wilder part) were Suitors to be made capable of the honour, of being Senators and Officers of Rome. His words are these: *Cum de supplendo Senatu ageretur, primoresque Gallia, quae Comata appellatur, foedera & civitatem Romanam pridem assecuti, Jus adipiscendorum in urbe Honorum, expeterent; multus, ea super re, variusque Rumor & Studii diversis, apud Principem, certabatur.* And in the end after long debate it was ruled they should be admitted.

So likewise, the Authority of Nicholas Machiavel seemeth not to be contemned; who enquiring the Causes of the Growth of the Roman Empire doth give Judgement; There was not one greater then this, that the State did so easily compound and incorporate with strangers.

It is true, that most Estates and Kingdomes have taken the other Course. Of which this effect hath followed; That the Addition of further Empire, and Territory hath been rather matter of Burthen, than matter of Strength unto them: yea and further it hath kept alive the Seeds and Roots of Revolts, and Rebellions for many Ages: As we may see in a fresh and notable Example of the Kingdom of Aragon: Which, though it were united

A Discourse
of the Union
of Eng-
land
and Scot-
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to Castile by Marriage, not by Conquest; And so descended in Hereditary Union by the space of more than an 100. years; yet because it was continued in a divided Government, and not well Incorporated and Cemented with the other Crowns, entered into a Rebellion upon point of their *Fueros*, or *Liberties* now, of very late years.

Now to speak briefly of the several parts of that form, whereby States and Kingdoms are perfectly united; They are (besides the Sovereignty itself) four in Number: Union in Name, Union in Language, Union in Lawes, Union in Employments.

For Name though it seem but a superficial and outward Matter, yet it carrieth much Impression, and Enchantment: The General and common Name of *Grecia* made the *Greeks* alwaies apt to unite (though otherwise full of Divisions amongst themselves) against other Nations whom they called *Barbarous*. The *Helvetian* Name is no small Band to knit together their Leagues and Confederacies the faster. The common Name of *Spain* (no doubt) hath been a special means of the better union and Conglutination of the several Kingdoms of *Castile*, *Aragon*, *Granada*, *Navarre*, *Valentia*, *Catalonia*, and the rest, comprehending also now lately *Portugal*.

For Language, it is not needfull to insit upon it; because both your Majesties Kingdoms are of one Language though of several Dialects, and the Difference is so small betweene them as promisseth rather an enriching of one Language, than a continuance of two.

For Lawes which are the Principal Sinews of Government, they may be of three Natures, *Jura*, which I will term *Freedome* or *Abilities*, *Leges*, and *Mores*.

For *Abilities* and *Freedomes* they were amongst the *Romans* of four kinds or rather degrees. *Jus Connubii*, *Jus Civitatis*, *Jus Suffragii* and *Jus Petitionis* or *Honorum*. *Jus Connubii*, is a thing in these times out of Use: For Marriage is open between all Diversities of Nations, *Jus Civitatis* answereth to that we call *Denization* or *Naturalization* *Jus Suffragii* answereth to the Voice in Parliament; *Jus Petitionis* answereth to place in Counsel or Office. And the *Romans* did many times sever these *Freedomes*, granting *Jus Connubii*, *sine Civitate*; and *Civitatem*, *sine Suffragio*, and *Suffragium*, *sine Jure Petitionis*, which was commonly with them the last.

For those we called *Leges*, it is a matter of the Curiosity, and Inconveniency to seek either to extirpate all particular Customes, or to draw all Subjects to one place or resort of Judicature, and Session. It sufficeth, there be a Uniformity in the principal and Fundamental Lawes, both Ecclesiastical and Civil, for in this point, the Rule holdeth which was pronounced by an Ancient Father touching the Diversity of Rites in the Church; For finding the Vesture of the Queen in the Psalm (which did prefigure the Church) was of divers Colours, and finding again that Christs Coat was without a seam, he concludeth well, *In veste varietas sit, Scissura non sit*.

For *Manners*, a consent in them is to be sought industriously, but not to be enforced: For nothing amongst people breedeth so much pertinacy in holding their Customes, as suddain and violent offer to remove them.

And as for *Employments* it is no more but in indifferent hand and Execution of that Verse.

Tyros, Triusque mihi nullo discrimine agitur.

There remaineth only to remember out of the Grounds of Nature the two Conditions of perfect mixture; Whereof the former is Time. For the Na-

tural

tural Philosophers say well; that *Compositio* is *Opus Hominis*; and *Misto opus Naturæ*. For it is the Duty of Man, to make a fit Application of Bodies together: But the perfect *Fermentation*, and Incorporation of them must be left to *Time* and *Nature*; and *unnatural* hastening thereof doth disturb the work and not dispatch it.

So we see, after the *Graft* is put into the *Stock*, and bound, it must be left to *Time* and *Nature*, to make that *Continuum*, which at the first was but *Contignum*. And it is not any continual pressing or Thrusting together that will prevent *Natures* season, but rather hinder it. And so in *Liquors* those *Commixtures* which are at the first troubled grow after clear and settled by the benefit of *Rest* and *Time*.

The Second Condition is, That the greater draw the less. So we see when two *Lights* do meet, the greater doth darken and dim the less. And when a smaller *River* runneth into a greater, it loseth both his *Name* and *Stream*. And hereof to conclude we see an excellent Example in the *Kingdoms* of *Judaah*, and *Israel*. The *Kingdom* of *Judaah* contained Two *Tribes*; The *Kingdom* of *Israel*, contained Ten: King *David*, reigned over *Judaah*, for certain years; And after the Death of *Ish-boseth*, the Son of *Saul* obtained likewise the *Kingdom* of *Israel*. This Union continued in him, and likewise in his son *Solomon*, by the space of 70. years, at least between them both: But yet, because the Seat of the *Kingdom* was kept still in *Judaah*, and so the less sought to draw the greater upon the first occasion offered, the *Kingdoms* brake again, and so continued ever after.

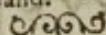
Thus having in all humbleness made Oblation to your Majesty of these simple fruits, of my *Devotion* and *Studies*; I do wish, and do wish it not in the Nature of an impossibility, (to my apprehension) That this happy Union of your Majesties two *Kingdoms* of *England* and *Scotland*, may be in as good an hour and under the like *Divine Providence* as that was between the *Romans* and the *Sabines*.

A Discourse
of the Uni-
on of En-
gland,
and Scot-
land.

Collected and dispersed for His
MAJESTIES better Service.

AN

Articles
touching
the Union
of England
and Scot-
land.



CERTAIN
ARTICLES,
OR
CONSIDERATIONS
TOUCHING THE
UNION
OF THE
KINGDOMES
OF
ENGLAND and SCOTLAND;

Collected and dispersed for His
MAJESTIES better Service.

OUR Majesty being (I do not doubt) directed and conducted
by a better Oracle than that which was given for Light to *Ene-*
Y as in his Peregrination (*Antiquam exquirere Matrem*) hath a
Royal, and indeed an Heroical desire to reduce these two
Kingdomes of England and Scotland into the Unity of their
Ancient Mother Kingdome of Brittain. Wherein as I would
gladly applaud unto your Majesty, or sing aloud that Hymn or Antheme, *Sic
itur ad Astra*, so in a more soft and submiss voice, I must necessarily re-
member unto your Majesty that warning or Caveat *Ardua quæ Pulchra*,
it is an Action that requireth, yea, and needeth much, not only of your
Majesties Wisedome, but of your Felicity. In this Argument I presumed at
your Majesties first Entrance to write a few Lines, indeed Scholastically, and
Speculatively, and not Actively or Politickly, as I held it fit for me at that
time; when neither your Majesty was in that your desire declared, nor my self
in that service used or trusted. But now that both your Majesty hath opened
your desire and purpose with much admiration even of those who give it not

an approbation, and that my self was by the *Commons* graced with the first vote of all the *Commons* Selected for that Cause; not in any Estimation of my Ability (for therein so wise an *Assembly* could not be so much deceived) but in an acknowledgement of my extream Labours and integrity, in that business I thought my self every ways bound both in duty to your *Majesty*, and in trust to that *House of Parliament*, and in consent to the matter it self, and in Conformity to mine own Travailes, and Beginnings, not to neglect any pines, that may tend to the furtherance of so excellent a work: Wherein I will endeavour that that which I shall set down be *Nihil minus quam verba*: For length and ornament of Speech, are to be used for perswasion of *Multitudes*, and not for Information of *Kings*: especially such a *King* as is the only instance that ever I knew, to make a man of *Plato's* Opinion, That all Knowledge is but Remembrance, and that the Mind of *Man* knoweth all things, and demindeth only to have her own *Notions* excited and awaked. Which your *Majesties* rare and indeed singular gift and faculty of swift apprehension and infinite Expansion or multiplication of another mans Knowledge by your own as I have often observed, so I did extremely admire in *Goodwins Cause*, being a matter full of Secrets and misteries of our Lawes, meerly new unto you and quite out of the Path of your Education, Reading and Conference: Wherein nevertheless upon a Spark of Light given, your *Majesty* took in so Dexterously and Profoundly as if you had been indeed *Anima Logus*: Not only in execution but in understanding: The Remembrance whereof as it will never be out of my mind, so it will alwaies be a warning to me to seek rather to excite your Judgement briefly then to enform it tediously, & if in a matter of that nature, how much in this wherein your *Princely Cogitations* have wrought themselves, and been conversant, and wherein the principal Light proceeded from your self.

And therefore my purpose is only to break this matter of the *Union* into certain short *Articles* and *Questions* and to make a certain kind of *Anatomy* or *Analysis* of the parts and members thereof; Not that I am of Opinion that all the *Questions* which I now shall open, were fit to be in the Consultation of the *Commissioners* propounded. For I hold nothing so great an Enemy to good Resolution, as the making of too many *Questions*, Specially in *Assemblies*, which consist of many. For *Princes* for avoiding of Distraction must take many things by way of admittance; And if *Questions* must be made of them, rather to suffer them to arise from others then to grace them, and authorize them as propounded for themselves. But unto your *Majesties* private Consideration to whom it may better sort with me rather to speak as a *Remembrancer*, than as *Counsellor*, I have thought good to lay before you all the *Branches Lineaments*, and *Degrees* of this *Union*, that upon the *View* and consideration of them and their Circumstances your *Majesty* may the more clearly discern and more readily call to mind which of them is to be embraced, and which to be rejected; And of these, which are to be accepted, which of them to be presently to be proceeded in, and which to be put over to further time, and again which of them shall require *Authority of Parliament*, and which are fitter to be effected by your *Majesties* Royal Power and *Prerogative*, or by other Policies or means; And lastly which of them is liker to pass with difficulty and Contradiction, and which with more Facility and Smoothness.

First therefore to begin with that *Question* that I suppose will be out of question.

Whether it be not meet, that the Statutes, which were made touching *Scotland* or the *Scottish Nation*, while the *Kingdoms* stood severed be repealed?

It is true, there is a Diversity in these: For some of these *Laws* consider

A Discourse
of the Uni-
on of En-
gland,
and Scot-
land.

Statutes con-
cerning
Scotland, and
the Scottish
Nation.

Articles
touching
the Union
of Eng-
land and
Scotland.

Laws, Customs
Commissions,
Officers, of the
Borders or
Marches.

Further Union
besides the
Removing of
Inconvenient
and dissenting
Laws and
Usages

consider Scotland as an Enemy Countrey; Others Lawes consider it as a Forraign Countrey only: As for Example, the Law of Rich. 2. Anno. 7th. which Prohibiteth all Armour, or Victual to be carried to Scotland: And the Law of 7th. of R. H. the 7. that Enacteth all the Scottish Men to depart the Realm within a time prefixed; Both these Lawes, and some others, respect Scotland as a countrey of hostility: But the Law of 22. of Edw. 4th. that endueth Barwick with the Liberty of a Staple, where all Scottish Merchandizes should resort that should be uttered for England: And likewise all English Merchandizes that should be uttered for Scotland; This Law be- holdeth Scotland, only as a Forraign Nation; And not so much neither; For there have been erected Staples, in Towns of England; for some Commodities, with an Exclusion and Restriction of other parts of England.

But this is a Matter of the least Difficulty; your Majesty shall have a Calender made of the Laws, and a Brief of the Effect: And so you may judge of them: And the like, or Reciproque is to be done by Scotland, for such Laws as they have concerning England and the English Nation.

The Second Question is, what Laws, Customs, Commissions, Officers, Grisons and the like, are to be put down discontinued or taken away, upon the Borders of both Realms.

This Point, because I am not acquainted with the Orders of the Marches, I can say less.

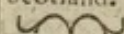
Herein falleth that Question, whether that the Tennants, who hold their Tennant Rights in a greater Freedome and Exemption, in Consideration of their Service upon the Borders; And that the Countreies themselves which are in the same respect discharged of Subsidies and Taxes, should not now be brought to be in one degree with other Tennants and Countreies; Nam. *ante causa tollitur Effectus*; Wherein in my Opinion, some time would be given; *Quia adhuc eorum Messis in Herba est*: But some present Ordinance would be made to take effect at a future time considering it is one of the greatest Points and Marks of the Division of the Kingdoms. And because Reason doth dictate, that where the Principal Solution of Continuity was, there the Healing and Consolidating Plaister should be chiefly applied; There would be some further Device, for the utter and perpetual Confounding of those Imaginary Sounds, (as your Majesty termeth them;) And therefore it would be considered, whether it were not convenient to Plant and Erect, at Carlisle, or Barwick some Counsel or Court of Justice, the Jurisdiction whereof, might extend part into England, and part into Scotland; With a Commission, not to proceed precisely, or meerly, according to the Laws, and Customs either of England or Scotland, but mixtly, according to Instruction, by your Majesty to be set down, after the Imitation, and President of the Counsel of the Marches here in England, Erected upon the Union of Wales.

The third Question is that, which many will make a great Question of, though perhaps your Majesty will make no Question of it: And that is, Whether your Majesty should not make a stop or stand here, and not to proceed to any further Union's Contenting your Self with the two former Articles or Point.

For it will be said, That we are now well, (thanks be to God;) And your Majesty, and the State of neither Kingdom is to be repented of. And that it is true which Hippocrates saith; That, *Sana Corpora difficile medicatio- nes ferunt*: It is better to make Alterations in sick Bodies, then in sound. The Consideration of which point, will rest upon these two Branches: What Inconveniencies will ensue with time, if the Realmes stand as they are, divided.

divided, which are yet not found nor sprung up. For it may be the sweetness of your *Majesties* first entrance, and the great Benefit that both *Nations* have felt thereby, hath covered many *Inconveniences*; which nevertheless be your *Majesties* Government, never so gracious and Politick, Continuance of time and the Accidents of time may breed and discover, if the *Kingdoms* stand divided.

Articles
touching
the Uni-
on of Eng-
land and
Scotland.



The second *Branch* is, allow no manifest or important Peril or *Inconvenience* should ensue of the continuing of the *Kingdoms* divided, yet on the other Side, whether that upon the further *Uniting* of them, there be not like to follow that Addition and encrease of Wealth and Reputation, as is worthy your *Majesties* virtues and Fortune, to be the Author and Founder of, for the advancement and Exaltation of your *Majesties* Royal posterity in time to come.

But admitting that your *Majesty* should proceed to this more perfect and entire *Union*, wherein your *Majesty* may say *Majus Opus magis*, to enter into the parts and degrees thereof, I think fit first to set down as in a brief *Table* in what points the *Nations* stand now at this present time already united, and in what *Points* yet still severed and divided, that your *Majesty* may the better see what is done, and what is to be done; And how that which is to be done is to be inferred upon that which is done.

Points wherein
the Nations
stand already
united.

The *Points*, wherein the *Nations* stand already united are;

In *Sovereignty*.

In the *Relative* thereof which is *Subjection*.

In *Religion*.

In *Continent*.

In *Language*.

And now lastly, by the Peace by your *Majesty* concluded with Spain in *Leagues* and *Confederations*, for now both *Nations* have the same Friends and the same Enemies.

Yet notwithstanding there is none of the six points, wherein the *Union* is perfect, and Consummate; But every of them hath some scruple or rather Grain of *Separation* enwrapped and included in them.

Sovereignty
Line Royal.

For the *Sovereignty*, the *Union* is absolute in your *Majesty* and your *Generation*, but if it should so be (which God of his infinite mercy defend) that your *Issue* should fail, then the descent of both *Realms* doth resort to the several *Lines* of the Several *Blouds* Royal.

Subjection
Obedience.

For *Subjection*, I take the Law of *England* to be clear, (what the Law of *Scotland* is I know not) That all *Scottishmen* from the very Instant of your *Majesties* *Reign* begun are become *Denizens*, and the *Post-Nati* are naturalized Subjects of *England* for the time forwards: For by our *Laws* none can be an *Alien*, but he that is of another Allegiance, than our *Sovereign Lord the Kings*; For there be but two sorts of *Aliens*, whereof we find mention in our Law, an *Alien Ami*, and an *Alien Enemy*, whereof the former is a Subject of State in Amity with the King, and the latter a Subject of a State in Hostility: but whether he be one or other, it is an Essential Difference unto the Definition of an *Alien*, if he be not of the Kings Allegiance, as we see it evidently in the president of *Ireland*, who since they were Subjects to the Crown of *England*, have ever been Inheritable and capable as *Natural Subjects*, and yet not by any Statute or Act of Parliament, but merely by the Common Law, and

Alien
Naturalization

Articles
touching
the Uni-
on of Eng-
land and
Scotland.

Religion,
Church-Gov-
ernment.

Continent
Borders.

Language-
Dialect.

Leagues Con-
federacies.
Treaties.

External
points of the
Separation
and Union.

The Ceremo-
nial or Mate-
rial Crowns.

the Reason thereof. So as there is no doubt, that every subject of Scotland was, and is in like Plight and degree, since your Majesty's coming in, as if your Majesty had granted particularly your Letters of Denization or Naturalization to every of them, and the Post Nati wholly Natural. But then on the other side, for the time Backwards, and for those that were Ante-Nati, the Blood is not by Law naturalized, so as they cannot take it by descent from their Ancestors without Act of Parliament. And therefore in this Point there is a defect in the Union of Subjection.

For matter of Religion the Union is perfect in points of Doctrine, but in matter of Discipline and Government, it is imperfect.

For the Continent it is true, there are not natural Boundaries of Mountains or Seas, or Navigable Rivers, but yet there are Badges and memorials of Borders, of which point I have spoken before.

For the Language it is true, the Nations are unius Labii, and have not the first Curse of Disunion, which was Confusion of Tongues whereby one understood not another. But yet the Dialect is differing and it remaineth a kind of Mark of Distinction. But for that Tempori permit-tendum, it is to be left to Time: For considering that both Languages, do concur in the principal Office and Duty of a Language, which is to make a Mass self understood; For the rest, it is rather to be accounted (as was said) a Diversity of Dialect, than of Language: and as I said in my first Writing, it is like to bring forth the enriching of one Language, by compounding and taking in the proper and significant words of either Tongue, rather than a continuance of two Languages.

For Leagues and Confederacies; It is true, that neither Nation is now in Hostility with any State, wherewith the other Nation is in Amity: but yet so, as the Leagues and Treaties have been concluded with either Nation respectively, and not with both jointly; which may contain some Diversity of Articles of straitness of Amity with one more than with the other.

But many of these matters may perhaps be of that kind as may fall within that Rule, *In vestre varietas sit, scissura non sit.*

Now to descend to the particular Points wherein the Realms stand severed and divided, over and besides the former six Points of separation, which I have noted and placed as defects or Abatements of the six Points of the Union, and therefore shall not need to be repeated. The Points I say yet remaining I will divide into External and into Internal.

The External Points therefore of the separation are four.

1. The several Crowns, I mean the Ceremonial and Material Crowns.
2. The second is the several Names, Stiles, or Appellations.
3. The third is the several Prints of the Seales.
4. The fourth is the several Stamps or marks of the Coins or Monies.

It is true that the External are in some respect and parts much mingled, and interlaced with Considerations Internal, and that they may be as effectual to the true Union which must be the work of Time, as the Internal, because they are operative upon the Conceits and Opinions of the People: the Uniting of whole hearts and affections is the life and true End of this Work.

For the Ceremonial Crowns the Question will be whether there shall be framed one new Imperial Crown of Britain to be used for the times to come.

Also admitting that to be thought Convenient whether in the frame thereof there shall not be some Reference to the Crowns of Ireland and France.

Allo

Also whether your Majesty should repeat or iterate your own Coronation, and your Queens; or only ordain that such new Crown shall be used by your Posterity hereafter.

The Difficulties will be in the Conceit of some Inequality, whereby the Realm of Scotland may be thought to be made an Accession unto the Realm of England. But that reileth in some circumstances: for the Compounding of the two Crowns is equal; The Calling of the new Crown the Crown of Britain is equal. Onely the Place of Coronation if it shall be at Westminster, which is the ancient August and Sacred place for the Kings of England may seem to make a Inequality: And again, if the Crown of Scotland be discontinued, then that Ceremony which I hear is used in the Parliament of Scotland, in the absence of the Kings to have the Crowns carried in solemnity, must likewise cease.

For the Name, the main question is whether the Contradicted Name, of Britain shall be by your Majesty used or the Divided Names of England and Scotland.

Admitting there shall be an alteration, then the Case will require these Inferiour Questions.

First, whether the Name of Britain shall not only be used in your Majesties Stile, whether the entire Stile is recited, and in all other Formes the divided Names to remain, both of the Realms and of the People; Or otherwise that the very divided Names of Realms and People shall likewise be changed or turned into special or subdivided Names of the General Name, that is to say, for Example, whether your Majesty in your Stile shall denominate your self, King of Britain, France and Ireland, &c. And yet nevertheless in any Commission, Writ, or otherwise, where your Majesty mentioneth England or Scotland, you shall retain the ancient Names, as *Secundum Consuetudinem Regni nostri Angliæ*; or whether those divided Names shall be for ever lost and taken away, and turned into the subdivisions of South-Britain, and North-Britain, and the People to be South-Britains and North-Britains, and so in the Example aforesaid, the Tenour of the like clause to run *Secundum Consuetudinem Britannie Australis*.

Also if the former of these shall be thought convenient, whether it were not better for your Majesty to take that alteration of Stile upon you by Proclamation, as Edward the third did the Stile of France, than to have it enacted by Parliament.

Also in the Alteration of the Stile, whether it were not better to transpose the Kingdom of Ireland, and put it immediately after Britain, and so place the Islands together, and the Kingdom of France being upon the Continent last, in regard that these Islands of the Western Ocean seem by Nature and Providence an entire Empire in themselves, and also that there was never King of England, so entirely possessor of Ireland as your Majesty is: so as your Stile to run King of Britain, Ireland, and the Islands Adjacent, and of France, &c.

The difficulties in this, have been already thoroughly Beaten over, but they gather but to two Heads.

The one, point of Honour and Love to the former Names.

The other, Doubt, lest the Alteration of the Name may induce and involve an Alterations of the Lawes and Pollicies of the Kingdom; Both which, if your Majesty shall assume the Stile by Proclamation and not by Parliament are in themselves satisfied: for then the usual Names, must

Articles
touching
the Uni-
on of Eng-
land and
Scotland.
The Seales

The Stan-
dards and
Stamps, Mo-
neys

Internal
Points of Uni-
on.

mult needs remain, in *Writs and Records*, the forms whereof cannot be altered but by *Act of Parliament*, and so the point of Honour satisfied. And again, your *Proclamation* altereth no Law, and so the scruple of a tacite or implied *Alteration of Lawes*, likewise satisfied. But then it may be considered whether it were not a *Form* of the greatest Honour, if the *Parliament* though they did not enact it, yet should become *Suitors and Petitioners* to your *Majesty* to assume it.

For the *Seales*; that there should be but one *Great Seal* of *Britain*, and one *Chancellor*, and that there should onely be a *Seal* in *Scotland* for *Procelles* and *ordinary Justice*; and that all *Patents* of *Grants* of *Lands* or otherwise, as well in *Scotland*, as in *England*, should pass under the *Great Seal* here, kept about your *Person*; It is an *Alteration internal*, whercof I do not now speak.

But the *Question* in this Place is, whether the *Great Seales* of *England* and *Scotland* should not be changed into one and the same *Form of Image* and *Supercription* of *Britain*, which nevertheless is requisite should be, with some one plain of manifest *Alteration*, lest there be a buz, and suspect that *Grants* of *Things* in *England*, may be passed by the *Seal* of *Scotland*, or *vice versa*.

Also, whether this *Alteration* of *Form*, may not be done without *Act*, of *Parliament*, as the *Great Seales* have used to be heretofore changed as to their *Impressions*.

For the *Moneys*, as to the *Real* and *Internal Consideration* thereof, the *Question* will be, whether your *Majesty* should not continue two *Mints*, which the *Distance* of *Territory* considered) I suppose will be of *Necessity*.

Secondly, how the *Standards* (if it be not already done, as I hear some doubt made of it in popular Rumour) may be reduced into an exact proportion for the time to come; And likewise the *Computation, Tale* or *Valuation* to be made exact for the *Moneys* already beaten.

That done, the last *Question* is, (which is only proper to this place) whether the *Stamp* or the *Image* and *Supercription* of *Britain* for the time forwards should not be made the self same in both places, without any difference at all. A matter also which may be done as our *Law* is, by your *Majesties Prerogative* without *Act* of *Parliament*.

These *Points* are *Points of Demonstration* *Ad faciendum populum*, but so much the more they go to the *Root* of your *Majesties Intention*, which is to imprint and inculcate into the *Hearts* and *Heads* of the *People*, that they are one *People* and one *Nation*.

In this kind also, I have heard it, passe, abroad in Speech of the *Erection* of some new *Order* of *Knighthood*, with a Reference to the *Union*, and an *Oath* appropriate thereunto, which is a *Point* likewise deserveth a *Consideration*. So much for the *External Points*.

The *Internal Points* of *Separation*, are as followeth.

1. Several *Parliaments*.
2. Several *Councils* of *Estate*.
3. Several *Officers* of the *Crown*.
4. Several *Nobilities*.
5. Several *Lawes*.
6. Several *Courts* of *Justice*, *Trials*, and *Procelles*.

7. Several Receipts and Finances.

8. Several Admiralties and Merchandizings.

9. Several Freedoms and Liberties.

10. Several Taxes and Imposts.

Articles
touching
the Uni-
on of Eng-
land and
Scotland.

As touching the several States Ecclesiastical, and the several Mints and Standards, and the several Articles and Treaties and Intercourse with Foreign Nations, I touched them before.

In these Points of the straight and more inward Union there will intervene one principal Difficulty and Impediment growing from that Root, which Aristotle in his Politicks maketh to be the Root of all division and dissention in Common-Wealths, and that is Equality and Inequality. For the Realm of Scotland is now an Ancient and noble Realm, substantive of itself. But when this Island shall be made Britain, then Scotland is no more to be considered as Scotland, but as a part of Britain; No more than England is to be considered as England but as a part likewise of Britain, and consequently neither of these are to be considered as things entire of themselves but in the proportion that they bear to the whole. And therefore let us imagine (*Nam id mente possumus, quod actu non possumus*) that Britain had never been divided, but had ever been one Kingdom, then that part of Soyl, or Territory, which is comprehended under the Name of Scotland, is in quantity (as I heard it esteemed, how truly I know not) not past a third part of Britain; and that part of Soyl or Territory which is comprehended under the Name of England, is two parts of Britain, leaving to speak of any difference of Wealth or Population, and speaking only of Quantity. So then if for Example Scotland should bring to Parliament as much Nobility as England, then a Third part should countervail two parts; *Nam si inequalibus equalia addas omnia erunt Inequalia*. And this I protest before God and your Majesty, I do speak not as a man born in England, but as a man born in Britain. And therefore to descend to the particulars.

For the Parliaments the Consideration of that Point will fall into four Questions.

1. Parliament.

1. The first, what proportion shall be kept between the Votes of England and the Votes of Scotland.

2. The Second touching the manner of Proposition, or possessing of the Parliament of Causes there to be handled; which in England is used to be done immediately by any member of the Parliament, or by the Prolocutor, and in Scotland is used to be done immediately by the Lords of Articles, wherof the one Form seemeth to have more Liberty, and the other more Gravity, and Maturity, and therefore the Question will be, whether of these shall yield to other, or whether there should not be a Mixture of both, by some commissions precedent to every Parliament in the nature of Lords of the Articles, and yet not excluding the liberty of propounding in full Parliament afterwards.

3. The Third, touching the Orders of Parliament, how they may be compounded and the best of either taken.

4. The Fourth, how those which by Inheritance or otherwise have Offices of Honour and Ceremony in both the Parliaments, as the Lord Steward with us, &c. may be satisfied and Duplicitie accommodated.

For

Articles
touching
the Union
of England,
and Scot-
land.

2. Counsels
of Estate.

3. Officers
of the Crown.

4. Nobilities.

5. Lawes.

For the *Councils of Estate*, while the *Kingdoms* stand divided, it should seem necessary to continue several *Councils*, but if your *Majesty* should proceed to a strict *Union*, then howsoever your *Majesty* may establish some *Provincial Councils* in *Scotland* as there is here of *York* and in the *Marches of Wales*, yet the question will be, whether it will not be more convenient for your *Majesty*, to have but one *Privy Council* about your *Person*, whereof the *Principal Officers* of the *Crown* of *Scotland* to be for *Dignity* sake, howsoever their abiding and remaining may be as your *Majesty* shall imploy their Service. But this Point belongeth meerly and wholly to your *Majesties* Royal Will and pleasure.

For the *Officers* of the *Crown* the consideration thereof will fall into these Questions.

First in regard of the *Latitude* of your *Kingdom* and the *Distance* of *Place* whether it will not be Matter of necessity to continue the several *Officers*, because of the *Impossibility* for the service to be performed by one.

The Second admitting the *duplicity* of *Officers* should be continued, yet whether there should not be a difference that one should be the *Principal Officer*, and the other to be but *Special* and *subaltern*: as for example one to be *Chancellor of Britain*, and the other to be *Chancellor* with some special addition, as here of the *Dutchy*, &c.

The Third if no such specialty or inferiority be thought fit, then whether both *Officers* should not have the *Title* and the *Name* of the whole *Island* and *Precincts*: As the *Lord Chancellor of England* to be *Lord Chancellor of Britain*; And the *Lord Chancellor of Scotland*, to be *Lord Chancellor of Britain*, but with several provisos that they shall not intromit themselves, but within their several precincts.

For the *Nobilities*, the consideration thereof will fall into these questions.

The First of their *Votes in Parliament* (which was touched before) what proportion they shall bear to the *Nobility* of *England*, wherein if the proportion which shall be thought fit be not full yet your *Majesty* may out of your *Prerogative* supply it, for although you cannot make fewer of *Scotland*, yet you may make more of *England*.

The Second is touching the *Place*, and *Precedence* wherein to marshal them according to the *Precedence* of *England* in your *Majesties* *Stile*, and according to the *Nobility* of *Ireland*, that is all *English Earls* first, and then *Scottish* will be thought unequal for *Scotland*. To marshal them according to *Antiquity*, will be thought unequal for *England*. Because I hear the *Nobility* is generally more ancient: And therefore the question will be whether the indifferentest way were not to take them interchangeably, as for Example First, the ancient *Earl of England*; and then the ancient *Earl of Scotland*, and so *Alternis Vicibus*.

For the *Lawes*, to make an intire and perfect *Union*, it is a matter of great difficulty and length, both in the *Collecting* of them and in the passing of them. For first as to the *Collecting* of them, there must be made by the *Lawyers* of either *Nation*, a *Digest* under *Titles* of their several *Lawes* and *Customes*, as well *Common Lawes*, as *Statutes*, that they may be *Collated* and *Compared*, and that the *diversities* may appear, and be discerned of. And for the *Passing* of them we see by experience that *Patrius mos* is dear to all men and that men are bred and nourished up in the Love of it, and therefore how harsh *Changes* & *Innovations* are. And we see likewise what *disputation* & *argument* the *Alteration* of some one *Law* doth cause & bring forth, how much more the alteration of the whole *Corps* of the *Law*? Therefore the first

Question

Question will be whether it be not good to proceed by parts, and to take that that is most necessary and leave the rest to Time? The parts therefore or Subject of *Laws*, are for this purpose fittest distributed, according to that ordinary Division of *Criminal* and *Civil*, and those of *Criminal Causes*, into *Capital* and *Penal*.

The second *Question* therefore is, allowing the General Union of *Laws* to be too great a Work to embrace, whether it were not convenient that *Cases Capital* were the same in both *Nations*, I say the *Cases*, I do not speak of the *Proceedings* or *Trials*; That is to say, whether the same *Offences* were not fit to be made *Treason* or *Felony* in both places?

The third *Question* is, whether *Cases Penal*, though not *Capital*, yet if they concern the *Publick State*, or otherwise the *Discipline of Manners* were not fit likewise to be brought into one *Degree*, as the *Case of Mischief* of *Treason*, The *Case of Premunire*, the *Case of Fugitives*, the *Case of Incest*, the *Case of Simony* and the rest.

But the *Question* that is more urgent then any of these is; whether these *Cases*, at the least be they of an higher or inferiour degree, where in the *Fact* committed, or *Act done* in *Scotland*, may prejudice the *State* and *Subjects* of *England*, or *converso*, are not to be reduced into one *Uniformity*, of *Law* and *punishment*, as for example a perjury committed in a *Court of Justice* in *Scotland*, cannot be prejudicial in *England*, because *Depositions* taken in *Scotland*, cannot be produced and used here in *England*. But a *Forgery* of a *Deed* in *Scotland*, I mean with a false *Date of England* may be used and given in *Evidence* in *England*. So likewise the depopulating of a *Town* in *Scotland*, doth not directly prejudice the *State of England*: But if an *English Merchant* shall carry *Silver* and *Gold* into *Scotland* (as he may) and thence transport it into forrain parts, this prejudiceth the *State of England*, and may be an *Evasion* to all the *Laws of England*, ordained in that *Case*: And therefore had need to be bridled with as severe a *Law* in *Scotland*, as is here in *England*.

Of this kind there are many *Laws*.

The *Law* of the 50th. of *Rich.* the 2. of going over without licence, if there be not the like *Law* in *Scotland* will be frustrated and evaded: For any *Subject of England* may go first into *Scotland*, and thence into forrain parts.

So the *Laws* prohibiting Transportation of sundry *Commodities*, as *Gold*, and *Silver*, *Ordnance*, *Artillery*, *Corn*, &c. if there be not a Correspondence of *Laws* in *Scotland*, will in like manner be deluded and frustrate: For any *English Merchant* or *Subject* may carry such *Commodities* first into *Scotland*, as well as he may carry them from *Port* to *Port* in *England*. And out of *Scotland* into *Forrain Parts*, without any peril of *Law*.

So *Libel* may be devised and written in *Scotland*, and published and scattered in *England*.

Treasons may be plotted in *Scotland* and executed in *England*.

And so in many other *Cases*, if there be not the like Severity of *Law* in *Scotland*, to restrain *Offences*, that there is in *England*; (whereof we are here ignorant whether there be or no) It will be a Gap or stop even for *English Subjects* to escape and avoid the *Laws of England*.

But for *Treasons* the best is that by the Statute of 26. *K. Hen.* the 8. *Cap.* 13. any *Treason* committed in *Scotland*, may be proceeded with in *England* as well as *Treasons* committed in *France*, *Rome* or elsewhere.

Articles
touching the
Union of
England
and Scot-
land.

Articles
touching
the Union
of England,
and Scot-
land.

6. Courts of
Justice, and
Administrati-
on of Lawes

7. Receipts, Fi-
nances, and
Patrimonies
of the Crown,

8. Admiralty,
Navy, and
Merchandiz-
ing.

9. Freedom
and Libertie.

For Courts of Justice, Trials, Process, and other Administration of Lawes, to make any Alteration in either Nation it will be a Thing so new and unwonted to either People; That it may be doubted it will make the Administration of Justice, (Which of all other Things ought to be known, and certain as the beaten way;) to become intricate and uncertain: And besides, I do not see that the Severalty of Administration of Justice, though it be by Court-Sovereign of last resort; (mean without Appeal, or Errour,) is any Impediment at all to the Union of a Kingdom: As we see by Experience, in the several Courts of Parliament, in the Kingdom of France: And I have been alwayes of Opinion, that the Subjects of England do already fetch Justice somewhat far off, more then in any Nation that I know, the largeness of the Kingdom considered, though it be holpen in some part by the Circuits of the Judges; And the two Councils at Yorke, and the Marches of Wales established.

But it may be a Question, whether as *Commune Vinculum*, of the Justice of both Nations; your Majesty should not erect some Court about your person in the Nature of the Grand Council of France: To which Court you might by way of Evocation draw Causes from the ordinary Judges of both Nations; For so doth the French King from all the Courts of Parliament in France; Many of which are more remote from Paris then any part of Scotland is from London.

For Receipts and Finances, I see no Question will arise: In regard it will be Matter of Necessity to establish in Scotland, a Receipt of Treasure, for Payments, and Erogations to be made in those parts: And for the Treasure of Spare, in either Receipts the Custodies thereof may well be several; considering by your Majesties Commandment, they may be at all times removed, or disposed according to your Majesties Occasions.

For the Patrimonies of both Crowns, I see no Question will arise; Except your Majesty would be pleased to make one compounded Annexation, for an Inseparable Patrimony, to the Crown out of the Lands of both Nations; And so the like for the Principality of Brittain, and for other Appennages, of the rest of your Children; Erecting likewise such Duchies and Honours compounded of the Possessions of both Nations, as shall be thought fit.

For Admiralty or Navy, I see no great question will arise: For I see no Inconvenience for your Majesty to continue Shipping in Scotland. And for the Jurisdictions of the Admiralties, and the Profit, and Casualties of them, they will be respective unto the Coasts, over against which the Seas lye and are situated: As it is here with the Admiralties of England.

And for Merchandizing it may be a Question, whether that the Companies of the Merchant Adventurers, of the Turkie Merchants and the Muscovy Merchants, (if they shall be continued,) should not be compounded of Merchants of both Nations, English and Scottish. For to leave Trade free in the one Nation, and to have it restrained in the other may percase breed some Inconvenience.

For Freedoms and Liberties the Charters of both Nations may be revived: And of such Liberties as are agreeable and convenient for the Subjects, and People of both Nations, one Great Charter may be made and confirmed to the Subjects of Brittain: And those Liberties which are peculiar or proper to either Nation to stand in State as they do.

But

But for *Imports* and *Customs* it will be a great *Question* how to accommodate them, and reconcile them: For if they be much easier in *Scotland* than they be here in *England* (which is a Thing I know not) then this Inconvenience will follow; That the *Merchants* of *England*, may unlade in the *Parts* of *Scotland*; and this *Kingdome* to be served from thence, and your *Majesties Customs* abated.

And for the question, whether the *Scottish Merchants* should pay *Strangers Customs* in *England*, that resteth upon the *Point* of *Naturalization*, which I touched before.

Thus have I made your *Majesty* a brief and naked *Memorial* of the *Articles* and *Points* of this great *Cause*, which may serve only to excite and stir up your *Majesties Royal Judgement*, and the *Judgment* of *Wiser Men* whom you will be pleased to call to it: Wherein I will not presume to perswade or dissuade any thing; Nor to interpose mine own *Opinion*; But do expect light from your *Majesties Royal directions*; Unto the which I shall ever submit my *Judgement*, and apply my *Travaile*; And I most humbly pray your *Majesty* in this which is done to pardon my *Errours*, and to cover them with my good *Intention* and meaning, and desire I have to do your *Majesty Service*, and to acquit the *Trust* that was reposed in me, and chiefly in your *Majesties* benign and gracious acceptance.

The beginning of the History of Great Britain.

10. Taxes and Imports.



THE
B E G I N N I N G
OF THE
HISTORIE,
OF
G R E A T B R I T A I N.

BY the Decease of Elizabeth Queen of England, the Issues of
King Henry the 8th. failed, being spent in one Generation,
and three Successions. For that King though he were one
of the goodliest Persons of his time, yet he left onely by
his six Wives three Children; who Raigning successively,
and dying Childless, made place to the Line of Margaret,
his eldest Sister Married to James the 4th. King of Scotland.
There succeeded therefore to the Kingdome of England
James the 6th. then King of Scotland descended of the same Margaret, both by
Father and Mother: So that by a rare Event in the Pedegrees of Kings it seemed
as if the Divine Providence, to extinguish and take away all Note of a
Stranger, had doubled upon his Person within the Circle of one Age, the Royal
Bloud of England, by both Parents. This Succession drew towards it the
Eyes of all men, being one of the most memorable accidents that had hapned
a long time in the Christian World. For the Kingdom of France, having been
reunited in the Age before in all the Provinces thereof formerly dismembred:
And the Kingdom of Spain being of more fresh memory, and united and made
entire by the annexing of Portugal in the person of Philip the second, there re-
mained but this third and last Union, for the counterpoizing of the power of
these three great Monarchies; and the disposing of the Affaires of Europe, there-
by to a more assured and universal Peace and Concord. And this event did
hold mens observations and Discourses the more, because the Island of Great
Britain divided from the Rest of the World, was never before united in it self
under one King, notwithstanding the People be of one Language, and not sepa-
rate by Mountains or great Waters: and notwithstanding also that the uniting
of them, had been in former times industriously attempted both by War and
Treaty. Therefore it seemed a manifest work of Providence and Case of Re-
servation

servation for these times; Inſomuch as the vulgar conceived that now there was an End given, and a conſummation to ſuperſtitious Prophecies (The Belief of Fools, but the Talk ſometimes of wiſe Men,) and to an ancient tacite Expectation, which had by Tradition been inſufed and inveterated into Mens Minds. But as the beſt divinations, and Predictions are the Politick and probable Foreſight, and conjectures of wiſe men, ſo in this matter the Providence of King Hen. the 7th. was in all mens mouths; Who being one of the deepeſt and moſt prudent Princes of the World, upon the deliberation concerning the Marriage of his Eldeſt Daughter into Scotland, had by ſome Speech uttered by him ſhewed himſelf ſenſible, and almoſt Preſcient of this event.

Neither did there want a concurrence of divers Rare external Circumſtances (beſides the virtues and conditions of the Perſon) which gave great Reputation to this Succeſſion. A King in the ſtrength of his years, ſupported with great Alliances abroad, eſtabliſhed with Royal Iſſue at home, at Peace with all the World, practiſed in the Regiment of ſuch a Kingdome, as might rather enable a King by variety of accidents; than corrupt him with Affluence or vain glory; and one that beſides his univerſal capacity and judgement was notably exerciſed and practiſed in matters of Religion, and the Church; which in theſe times by the conſuſed uſe of both Swords, are become ſo intermixed with conſiderations of Eſtate, as moſt of the Counſailes of Sovereign Princes or Republicques depend upon them: But nothing did more fill Forraign Nations with admiration and Expectation of his Succeſſion, then the wonderfull and (by them) unexpected conſent of all Eſtates and Subjects of England for the receiving of the King without the leaſt ſcruple, Pauſe, or Queſtion. For it had been generally diſperſed by the Fugitives beyond the Seas (who partly to apply themſelves to the Ambition of Forreiners; and partly to give Eſtimation and value to their own Employments; uſed to repreſent the ſtate of England in a falſe light) That after Queen Elizabeths Deceſſe there muſt follow in England nothing but Confuſions, Interreigns and perturbations of Eſtate, likely for to exceed the ancient Calamities of the Civil Wars between the Houſes of Lancaſter and York, by how much more the Diſſentions were like to be more Mortal and Bloudy, when Forraign Competition ſhould be added to Domeſtical; and diſviſions for Religion to matter of Title to the Crown. And in ſpecial, Parſons the Jeſuite under a diſguiſed Name had not long before publiſhed an expreſs Treatiſe, wherein whether his malice made him believe his own Fancies, Or whether he thought it the fitteſt way to move Sedition, Like evil Spirits, which ſeem to foretel the Tempeſt, they mean to move; He laboured to diſplay and give colour to all the vain Pretences and dreams of Succeſſion which he could imagine, and thereby had poſſeſſed many abroad that knew not the Affairs here with thoſe his Vanities. Neither wanted there here within this Realm, divers Perſons both Wiſe and well affected, who though they doubted not of the undoubted Right; yet ſetting before themſelves the waves of peoples Hearts (Guided no leſs by ſuddain and temporary Winds, then by the natural Courſe and motion of the Waters) were not without fear what might be the event? For Queen Elizabeth being a Prince of extream Caution; and yet one that loved Admiration above ſafety, And knowing the declaration of a Succeſſor might in a point of Safety be diſputable; But in point of Admiration and reſpect, aſſuredly to her Diſadvantage; Had from the beginning ſet it down for a Maxime of Eſtate to impoſe a Silence touching Succeſſion. Neither was it onely Reſerved, as a Secret of Eſtate, but Reſtrained by ſeveral Laws; That no man ſhould preſume to give

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Opinion, or maintain Argument touching the same; So, though the Evidence of Right, drew all the Subjects of the Land to think one thing; yet the Fear of Danger of Law, made no man privy to others thoughts. And therefore it rejoyced all men to see so fair a morning for a Kingdom; and to be thoroughly secured of former apprehensions; as a man that awakes out of a Fearful Dream. But so it was that not only the consent, but the Applause and Joy was infinite and not to be expressed throughout the Realm of England upon this Succession: Whereof the consent (no doubt) may be truly ascribed to the Clearness of the Right; but the general Joy, alacrity and Gratulation were the effects of differing Causes. For Queen Elizabeth although she had the use of many both Vertues and Demonstrations that might draw and knit unto her the hearts of her people; yet nevertheless carrying a hand Restrained in Gift and Strained in Points of Prerogative, could not nor answer the Votes either of Servants or Subjects to a full contentment, especially in her latter dayes; when the continuance of her Reign (which extended to Five and Forty years) might discover in People, their Natural desire and Inclination towards Change; so that a new Court and a new Reign were not to many unwelcome. Many were glad, and especially those of Setled Estate and Fortune, that the Feares and Uncertainties were Overblown; and that the Dye was cast: Others that had made their way with the King, or offered their Service in the Time of the former Queen, thought now the time was come for which they had prepared: and generally all such as had any dependance upon the late Earl of Essex (who had mingled the secrecy of his own ends, with the popular pretence of advancing the Kings Title,) made account their Cause was intended. Again such as might misdoe they had given the King any occasion of distaste, did continue by their Forwardness and confidence to shew it was but their Fastness to the Former Government, and that those Affections ended with the Time. The Papists nourished their hopes by collating the case of the Papists in England; and under Queen Elizabeth, and the Case of the Papists in Scotland under the King: Interpreting that the Condition of them in Scotland was the less grievous: and divining of the Kings Government here accordingly: Besides the Comfort they ministered themselves from the memory of the Queen his Mother. The Ministers and those which stood for the Presbytery, thought their cause had more Sympathy with the Discipline of Scotland, then the Hierarchy of England; and so took themselves to be a degree nearer their desires. Thus had every Condition of persons some contemplation of Benefit, which they promised themselves; over-reaching perhaps according to the nature of hope, but yet not without some probable ground of Conjecture. At which time also there came forth in print the Kings Book, entitled ΒΑΣΙΛΙΚΩΝ ΔΕΣΥΝ: Containing matter of Instruction to the Prince his Son, touching the Office of a King, which Book falling into every Mans hand, filled the whole Realm, as with a good perfume or incense before the Kings coming in: For being excellently written and having nothing of Affectation, it did not only satisfie better, than particular reports touching the Kings disposition, but far exceeded any formal or curious Edition or declaration, which could have been devised of that Nature; wherewith Princes in the beginning of their Reigns do use to grace themselves; or at least express themselves gracious in the eyes of their People. And this was for the general the State and Constitution of mens minds upon this change: The Actions themselves passed in this Manner, &c.

The rest is wanting.



A

LETTER AND DISCOURSE

TO

Sir, HENRY SAVILL,

TOUCHING

HELPS

FOR THE

INTELLECTUAL POWERS.

SIR.

Coming back from your Invitation at *Eaton*, where I had refreshed my Self with Company which I loved; I fell into a Consideration of that Part of *Policy*, whereof *Philosophy* speaketh too much, and *Laws* too little; And that is of *Education* of Youth. Whereupon fixing my mind, a while I found strait ways, and noted even in the *Discourses* of *Philosophers* which are so large in this Argument, a strange Silence, concerning one principal Part of that Subject: For as touching the *Framing* and *Seasoning* of Youth to *Moral Virtue*; (As *Tolerance* of Labours, continency from Pleasures, Obedience, Honour and the like, They handle it; But touching the *Improvement* and *Helping*, of the *Intellectual Powers*; As of *Conceit*, *Memory* and *Judgment* they say nothing. Whether it were that they thought it to be a Matter wherein Nature only prevailed; Or that they intended it as referred to the several and Proper *Arts* which teach the use of *Reason* and *Speech*. But for the former of these two Reasons, howsoever it pleaseth them to distinguish of *Habits* and *Powers*; The Experience is manifest enough, that the *Motions*, and *Faculties* of Wit, and *Memory*, may not be governed and guided but also confirmed and enlarged by *Custom* and *Exercise* duly applied: As if a *Man* exercise *Shooting*, he shall not only shoot nearer the Mark, but also draw a stronger Bow. And as for the Latter of *Comprehending* these precepts within the *Arts* of *Logick* and *Rhetorick*; If it be rightly considered, their Office is distinct altogether from this Point: For it is no part of the Doctrine of the Use or Handling of an Instrument.

A Discourse
touching
Helps for
the Intel-
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Instrument to teach how to Whet or grinde the *Instrument* to give it a sharp edge; Or how to quench it or otherwise whereby to give it a stronger Temper. Wherefore finding this part of knowledge not broken, I have but *tangam aliud agens* entred into it, and salute you with it, dedicating it after the ancient manner, first as to a dear Friend; And then as to an apt person; For as much as you have both place to practise it, and Judgement and Leisure to look deeper into it, than I have done. Herein you must call to mind *Aristov 100 Sup.* Though the argument be not of great Height and dignity, nevertheless it is of great and universal use: And yet I do not see why, to consider it rightly; That should not be a *Learning of Height*, which teacheth to raise the highest and Worthiest *Part of the Mind*. But howsoever that be, if the *World* take any Light and Use by this *Writing*, I will the Gratulation be to the good Friendship and acquaintance between us two. And so I commend you to *Gods divine protection*.

A DISCOURSE touching HELPS for the INTELLECTUAL POWERS.

I Did ever hold it for an Insolent and unlucky Saying; *Faber quisque Fortunæ suæ*; except it be uttered only as an *Horatitive or Spur* to correct Sloth. For otherwise if it be believed as it soundeth; And that a Man entred into an high Imagination that he can compass and fathom all accidents; and ascribeth all successes to his drifts and Reaches; And the contrary to his Errors and Splenings: It is commonly seen that the *Evening Fortune* of that Man is not so prosperous as of him that without slackning of his Industry attributeth much to *Felicity and Providence* above him. But if the sentence were turned to this *Faber quisque Ingenii sui*, it were somewhat more true, and much more profitable: Because it would teach men to bend themselves to *Reform* those *Imperfections* in themselves, which now they seek but to Cover and to attain those *Vertues*, and good parts, which now they seek but to have onely in *show and Demonstration*. Yet notwithstanding every Man attempteth to be of the first Trade of Carpenters; And Few bind themselves to the Second: whereas nevertheless the *Rising in Fortune* seldome amendeth the *Mind*; But on the other side the Removing of the Stands and Impediments of the mind, doth often clear the passage and Current to a Mans Fortune. But certain it is whether it be believed or no, that as the most excellent of *Metals Gold*, is of all other the most Pliant, and most enduring to be wrought; So, of all Living and Breathing Substances, the perfectest (Man) is the most susceptible of *Help, Improvement, Impression and Alteration*, and not only in his *Body*, but in his *mind and Spirit*, and there again not only in his *Appetite and Affection*, but in his *Powers of Wit and Reason*.

For as to the *Body of Man*, we find many and strange Experiences, how *Nature* is overwrought by *Custom*, even in *Actions*, that seem of most difficulty and least possible. As first in *Voluntary motion*, which though it be termed *Voluntary*, yet the highest Degrees of it are not *Voluntary*; For it is in my *Power and Will* to Run; But to Run faster then according to my *Lightness or disposition of Body*, is not in my *Power* nor *Will*. We see the Industry and practise of *Tumblers*, and *Funambulo's*, what *Effects* of great

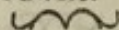
great Wonder it bringeth the Body of Man unto. So for suffering of Pain and Dolour, which is thought so contrary to the Nature of Man, there is much Example of Penances in strict Orders of Superstition, what they do endure, such as may well verifie the Report of the Spartan Boyes, which were wont to be scourged upon the Altar so bitterly, as sometimes they dyed of it; And yet were never heard to complain. And to pass to those Faculties which are reckoned more Involuntary; As long Fasting and Abstinence; and the contrary Excesses (Voracity) The Leaving and Forbearing the use of Drink for altogether, the Enduring Vehement Cold and the like; There have not wanted, neither do want divers Examples of strange Victories over the Body in every of these. Nay in Respiration, the proof hath been of some, who by continual use of Diving and Working under the Water, have brought themselves to be able to hold their Breath an incredible time; and others that have been able without Suffocation, to endure the Stifling Breath of an Oven, or Furnace so heated as though it did not scald nor burn; Yet it was many Degrees too hot for any man not made to it, to Breath or take in. And some Impossibles and Countersits likewise, have been able to wreath, and cast their Bodies into strange Formes and motions: Yea, and others to bring themselves into Trances and Astonishments. All which Examples do demonstrate how variously, and how to high Points and Degrees, the Body of Man may be (as it were) moulded and wrought. And if any Man conceive then it is some secret propriety of Nature that hath been in those Persons which have attained to those Points, and that it is not open for every Man to do the like, though he had been put to it; For which Cause such things come but very rarely to pass; It is true, no doubt but some Persons are apter then others; But so as the more aptness causeth perfection, but the less aptness doth not disable: So that for example, the more apt Child, that is taken to be made a Funambulo, will prove more excellent in his Feates; but the less apt will be Gregarius Funambulo also. And there is small Question, but that these Abilities would have been more common and others of like sort not attempted would likewise have been brought upon the stage, but for two Reasons: The one because of mens Diffidence in prejudging them as Impossibilities; For it holdeth in those things which the Poet saith; Possunt quia posse videntur: For no man shall know how much may be done, except he Believe much may be done. The other Reason is, because they be but practises, base and inglorious, and of no great use, and therefore sequestered from Reward of Value; and on the other side, painfull; So as the Recompence ballinceth not with the Travel and suffering. And as to the will of man it is that which is most Maniable and Obedient; as that which admitteth most Medicines to cure and alter it. The most Sovereign of all, is Religion, which is able to change and transform it in the deepest and most inward inclinations and Motions, and next to that is Opinion and Apprehension; Whether it be infused by Tradition, and Institution; or wrought in by Disputation and Perswasion; and the third is Example which transformeth the will of Man into the Similitude of that which is most observant and familiar towards it. And the fourth is, when one Affection is healed and corrected by another, as when Cowardise is remedied by Shame and dishonour; Or sluggishness and backwardness by indignation and Emulation, and so of the like. And lastly, when all these Means or any of them have new framed or formed Humane Will; then doth Custome and Habite corroborate and confirm all the rest. Therefore it is no marvel, though this Faculty of the Mind, (of Will, and Election;) which

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Helps for
the Intellectual
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inclined to affection and Appetite being but the *Inceptions* and *Rudiments* of Will; May be so well governed and managed; Because, it admitteth access to to divers Remedies to be applyed to it and to work upon it. The Effects whereof are so many, and so known as require no Enumeration; But generally they do issue as Medicines do in two Kinds of Cures whereof the one is a *Just*, or *True* Cure; And the other is called *Palliation*. For either the Labour and Intention is to reform the Affections, really and truly Restraining them if they be too violent; And raising them if they be too soft and Weak; Or else it is to cover them: Or if occasion be to pretend them, and represent them. Of the former sort whereof the Examples are plentiful in the *Schools* of *Philosophers*, and in all other *Institutions* of *Moral Virtue*; And of the other sort the Examples are more plentiful in the *Courts* of *Princes*, and in all *Politick Traffique*: Where it is ordinary to find, not on y profound *Dissemblations* and *Suffocating* the Affections, that no Note, or Mark appear of them outwardly; But also lively *Simulations* and *Affectations*, carrying the Tokens of Passions which are not; As *Risus*, and *Lachrymæ Coactæ* and the like.

Of Helps of the Intellectual Powers.

These that
follow are
but indigested
Notes.

THE *Intellectual Powers* have fewer means to work upon them, then the *Will*, or the *Body* of Man; But the one that prevailleth, that is *Exercise*, worketh more forcibly in them then in the Rest.

The Ancient Habit of the *Philosophers*, *Si quis querat in utramque partem, de omni Scibili.*

The Exercise of *Schollars* making verses extempore, *Scans pede in uno.*

The Exercise of *Lawyers*, in *Memory Narrative.*

The Exercise of *Sophists*, and *Jo, ad Oppositum*, with manifest effect.

Artificial Memory greatly holpen by Exercise.

The Exercise of *Buffons*, to draw all things to Conceits Ridiculous.

The Means that help the *Understanding* and *Faculties* thereof are,

(Not Example, as in the *Will*, by Conversation; And here the Conceit of Imitation already digested, with the Confutation, *Obiter, si videbitur*, of *Tullies Opinion*, advising a Man to take some one to Imitate. Similitude of Faces analysed.)

Arts, Logick, Rhetorick: The *Ancients*, *Aristotle*, *Plato*, *Thaletus*, *Gorgias*, *Litigiosus*, vel *Sophista*, *Protagoras*, *Aristotle*, *Schola sua*. *Topicks*, *Elinchs*, *Rhetoricks*, *Organon*, *Cicero*, *Hermogenes*. The *Nesteriks*, *Ramus*, *Agricola*. *Nil sacri*, *Lullius* his *Typocosmia*, studying *Coopers Dictionary*, *Matthems Collection* of proper words for *Metaphors*, *Agrippa de vanitat*, &c.

Que. If not here of Imitation.

Collections preparative. *Aristotles* Similitude of a Shoemakers Shop, full of Shoes, of all sorts: *Demosthenes Exordia Concionum*. *Tullies* precept, of *Theses*, of all sorts, preparative.

The Relying upon Exercise, with the Difference of *Using*, and tempering the Instrument: And the Similitude of prescribing against the *Laws*, *Nature* and of *Estate*.

5. Points.

That Exercises are to be framed, to the Life, that is to say, to work Ability in that kind whereof a Man in the Course of Action shall have most Use.

The *indirect* and *Oblique Exercises*, which do *per partes*, and *per consequentiam* inable these Faculties; which perhaps *direct Exercise* at first would but distort. And these have chiefly place where the Faculty is weak, not *per se* but *per Accidens*. As if Want of Memory grow through Lightness of Wit, and want of stayed Attention; then the *Mathematiques* or the Law, helpeth: Because they are things wherein if the Mind once room it cannot recover.

Of the *Advantages* of Exercise, as to dance with heavy Shoes, to march with heavy Armour and Carriage; And the contrary Advantage (in Natures very dull and unapt) of working Alacrity by framing an Exercise with some Delight or Affection.

—*Veluti pueris dant Crustula blandi*

Doctores Elementa velint ut discere prima-

Of the Cautions of Exercise, as to beware lest by evil doing (as ill Beginners do weakly) a man grow not and be inveterate in an ill Habit, and so take not the Advantage of Custom in perfection, but in confirming ill. Slubbing on the Lute.

The *Marshalling* and *Sequels* of Sciences, and *Praetises*, *Logick* and *Rhetorick* should be used to be read after *Poesy*, *History*, and *Philosophy*. First Exercise to do things well and clean, after promptly and readily.

The Exercises in the Universities and Schooles, are of Memory and Invention, either to speak by Heart that which is set down *verbatim*; Or to speak *Ex tempore*. Whereas there is little use in Action of either of both: But most things which we utter, are neither *verbally premeditate*, nor *meerly Extemporal*. Therefore Exercise would be framed to take a little Breathing to consider of Heads, and then to fit and form the Speech *Ex tempore*. This would be done in two manners, Both with writing and Tables and without. For in most Actions it is permitted and passable to use the Note; Whereunto if a Man be not accustomed, it will put him out.

There is no use of a *Narrative memory* in Academies, viz. with Circumstances of Times, Persons and places, and with Names; and it is one Art to discourse, and another to relate, and describe: And herein Use and Action is most conversant.

Also to Sum up and Contract, is a thing in Action of very general Use.

A Discourse
touching
Helps for
the Intel-
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Powers.

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Considerations touch-
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and Pacifi-
cation of
the Church
of England.



CERTAIN
CONSIDERATIONS
Touching the Better
PACIFICATION and EDIFICATION
OF THE
CHURCH
OF
ENGLAND.

Dedicated to his most excellent MAJESTY.

***** He Unity of your Church, (excellent Sovereign) is a thing
***** no less precious than the Union of your Kingdoms ; Being
***** both Works wherein your happiness may contend with your
***** **T** ***** Worthiness ; having therefore presumed not without your
***** Majesties gracious acceptation, to say somewhat of the
***** one, I am the more encouraged not to be silent in the
***** other : The rather, because it is an argument that I have
***** travelled in heretofore : but Solomon commendeth a Word
spoken in Season, and as our Saviour (speaking of the discerning of Seasons)
saith, When you see a cloud rising in the West, you say it will be a shower : So
your Majesties Rising to this Monarchy in the West parts of the World, doth
promise a sweet and fruitfull Shower of many Blessings upon this Church, and
Common-Wealth ; a Shower of that Influence as the very first Dews and
Drops thereof, have already layed the Stormes and Winds throughout
Christendome ; Reducing the very Face of Europe to a more peaceable and Ami-
able Countenance. But to the purpose.

It is very true, that these Ecclesiastical matters are things not properly ap-
pertaining to my Profession ; which I was not so inconsiderate, but to
object to my Self : But finding that it is many times seen that a man that
standeth off, and somewhat removed from a Plott of Ground, doth better
survey it, and discover it, than those which are upon it ; I thought it not im-
possible, but that I as a looker on might cast mine Eyes upon some things
which the actors themselves (especially some being interposed, some led and
addicted, some declared and engaged) did not or would not see. And that
knowing

knowing in my Conscience, (whereto God beareth witness) that the things which I shall speak, spring out of no Vein of Popularity, Ostentation, Desire of Novelty, Partiality to either side, Disposition to intermeddle, or any the like *Leven*; I may conceive hope that what I want in depth of Judgement, may be countervailed in Simplicity and Sincerity of affection. But of all Things, this did most animate me; That I found in these Opinions of mine, (which I have long held and embraced, as may appear by that which I have, many years since written of them according to the proportion, nevertheless of my weakness) a Consent and Conformity, with that which your Majesty hath published of your own most *Christian*, most *Wise*, and *moderate Sense*, in these Causes: wherein you have well expressed to the *World*, that there is infused in your Sacred breast from God that *High principle*, and *Position of Government*, that you ever hold the *Whole*, more dear than any part.

For who seeth not that many are affected and give Opinion in these matters as if they had not so much a desire to purge the evil from the good, as to countenance and protect the Evil by the Good? Others speak as if their scope were only to set forth what is good, and not to seek what is *Possible*, which is to *Wish* and not to *Propound*. Others proceed as if they had rather a mind of *Removing* than of *Reforming*: But howsoever either side as men (though excellent men) shall run into Extremities; yet your Majesty as a most *Wise*, *Equal*, and *Christian moderator*, is disposed to find out the *Golden Mediocrity* in the Establishment of that which is sound, and in the Reparation of that which is Corrupt and decayed. To your *Princely Judgement* then I do in all humbleness submit whatsoever I shall propound, offering the same but as a *mite*, into the *Treasury* of your *Wisdom*: For as the *Astronomers* do well observe, that when three of the *Superiour Lights* do meet in *Conjunction* it bringeth forth some admirable *Effects*: So there being joyned in your Majesty the *Light of Nature* the *Light of Learning*, and above all the *Light of Gods Holy Spirit*: It cannot be but your *Government* must be as a happy *Constellation* over the *States* of your *Kingdomes*. Neither is there wanting to your Majesty that fourth *Light*, which though it be but a borrowed *Light* yet is of singular Efficacy and moment added to the rest which is the *Light* of a most wise and well compounded *Council*; to whose honourable and grave *Wisdomes* I do likewise submit whatsoever I shall speak, hoping that I shall not need to make protestation of my mind and opinion, that until your Majesty doth otherwise determine and order, all actual and full Obedience is to be given to *Ecclesiastical Jurisdiction* as it now standeth, and when your Majesty hath determined and ordered that every good subject ought to rest satisfied, and apply his Obedience to your Majesties *Laws*, *Ordinances* and *Royal Commandements*: Nor of the dislike I have of all *Immodesty*, *bitterness*, *peremptory presumption*, *popular handling* and other courses tending rather to *Rumour* and *Impression* in the vulgar sort, then to likely-hood of *Effect* joyned with *Observation of duty*.

But before I enter into the *Points controverted*, I think good to remove (if it may be) two Opinions, which directly confront and oppone to *Reformation*: The one bringing it to a *Nullity*, and the other to an *Impossibility*. The First is, that it is against good Policy to innovate any thing in *Church matters*; The other: That all *Reformation* must be after one *Platform*.

For the first of these, it is excellently said by the Prophet; *State super vias antiquas, & videte, quoniam sit via recta & vera, & ambulate in ea*. So as he doth not say. *State super vias antiquas, & ambulate in eis*: For it is true, that with all *Wise* and *Moderate* persons, *Custom* and *Usage* obtaineth that *Reverence*, as it is sufficient matter to move them to make a stand, and

Considerations touch-
ing the Edifi-
cation and Pacifi-
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the Church
of England.

to discover and take a View; But it is no warrant to guide and conduct them: A just Ground, I say it is of *Deliberation*, but not of *Direction*. But on the other side, who knoweth not that *Time* is truly compared to a *Stream* that carrieth down *fresh and pure Waters*, into that *Salt Sea of Corruption*, which environeth all *Humane Actions*? And therefore if Man shall not by his Industry, Vertue, and Policy, as it were with the Oar row against the Stream and inclination of *Time*; All Institutions and Ordinances be they never so pure, will corrupt and degenerate. But not to handle this matter Common place like, I would only ask why the *Civil State* should be purged and restored by Good and Wholesome *Laws*; made every Third or Fourth year in *Parliament assembled*; Devising Remedies, as fast as *Time* breedeth *Mischief*; and contrariwise the *Ecclesiastical State*, should still continue upon the Degrees of *Time*, and receive no alteration now for this Five and Forty years and more? If any Man should object, that if the like intermission had been used in *Civil Causes* also, the Error had not been great; Surely the Wisdom of the *Kingdome* hath been otherwise in Experience, for three Hundred years since at the least. But if it be said to me that there is a difference between *Civil Causes* and *Ecclesiastical*, they may as well tell me that *Churches* and *Chappels* need no Repairs, though *Castles and Houses* do; Whereas commonly to speak truth, *Dilapidations* of the inward and spiritual Edifications of the *Church of God* are in all times as great as the outward and material. Sure I am that the very word and *Stile* of *Reformation* used by our *Saviour*, *Ab initio non fuit sic*; was applyed to *Church matters*, and those of the highest *Nature*, concerning the *Law moral*.

Nevertheless, he were both unthankful and unwise, that would deny but that the *Church of England* during the time of *Queen Elizabeth*, of famous Memory, did flourish. If I should compare it with *Forrain Churches*, I would rather the Comparison should be in the *Vertues*, then as some make it in the *Defects*. Rather I say as between the *Vine* and the *Olive*, which should be most fruitfull, and not as between the *Briar* and the *Thistle*, which should be most unprofitable. For that Reverence should be used to the *Church*, which the good *Sons of Noah* used to their *Fathers Nakedness*; That is, as it were to go backwards, and to help the defects thereof, and yet to dissemble them. And it is to be acknowledged that scarcely any *Church*, yielded in like number of Years, and Latitude of Country, a greater number of *Excellent Preachers*, *Famous Writers*, and *Grave Governours*: But for the *Discipline and Orders* of the *Church*, as many and the chiefest of them, are Holy and Good; So yet if *Saint John* were to indite an *Epistle* to the *Church of England*, as he did to them of *Asia*, it would sure have the *Clause*; *Habito adversus teporalem*. And no more for this Point, Saving, that as an Appendix thereto it is not amiss to touch that *Objection*, which is made to the *Time*, and not to the *Matter*, pretending that if *Reformation* were necessary, yet it were not now seasonable at your *Majesties* First entrance: Yet *Hippocrates* saith, *Si quid movet à principio move*: And the wisdom of all Examples do shew, that the wisest *Princes*, as they have ever been the most sparing in *Removing or Alteration of Servants*, and *Officers* upon their coming in; So for *Removing of Abuses and Enormities*; And for *Reforming of Lawes*, and the *Policy* of their *States*, they have chiefly sought to ennoble and commend their beginnings therewith; Knowing that the first Impression with People continueth long; And when mens minds are most in Expectation and suspence then are they best wrought and manniged: and therefore it seemeth to me

me, that as the *Spring of Nature*, (I mean the Spring of the year) is the best Time for purging, and Medicining, the *Natural Body*; So the Spring of *Kingdoms*, is the most proper Season, for the purging, and Rectifying *Politick Bodies*.

There remaineth yet an *Objection*, rather of *Suspicion* then of Reason; And yet such as I think, maketh a great Impression in the minds of very wise, and well affected Persons, which is; *That if way be given to Mutation, though it be in taking away Abuses, yet it may so acquaint Men with sweetness of change, as it will undermine the Stability even of that which is sound and good.* This surely hath been a good and true allegation in the Ancient Contentions, and Divisions, between the *People and Senate of Rome*: where things were carried, at the *Appetites of Multitudes*, which can never keep within the Compals of any Moderation: But these Things, being with us to have an orderly passage under a King who hath a Royal power, and approved Judgement: And knoweth as well the *Measure of Things*, as the *Nature of them*; It is surely a needless Fear. For they need not doubt but your *Majesty*, with the advice of your *Counsel* will discern what things are intermingled, like the *Tares amongst the Wheat*, which have their *Roots* so enwrapped and entangled as the one cannot be pulled up without endangering the other; And what are mingled, but as the *Chaff and the Corn* which need but a *Fan* to sift and sever them. So much therefore for the first Point, of no *Reformation* to be admitted at all.

For the *Second Point*, that there should be one forme of *Discipline* in all *Churches*; And that imposed by necessity of a commandment, and pre-script, out of the *Word of God*; It is a *Matter* *Volumes* have been compiled of, and therefore cannot receive a brief *Reduction*. I for my part do confess, that in *Revolving the Scriptures*, I could never find any such Thing, But that *God* had left the like *Liberty* to the *Church Government*; To be varied according to the *Time and Place*, and *Accidents*, which nevertheless his high and Divine Providence doth order, and dispose. For all *Civil Governments*, are restrained from *God*, unto the *General Grounds of Justice and Manners*, But the *Policies and Forms of them* are left Free: So that *Monarchies*, and *Kingdoms*, *Senates and Seignories*, *Popular States*, and *Communitates* are lawfull, and where they are planted ought to be maintained inviolate.

So likewise in *Church Matters*, the *Substance of Doctrine* is Inimitable And so are the *general Rules of Government*, But for *Rites and Ceremonies*, And for the particular *Hierarchies, Policies and Discipline of Churches*, they be left at large. And therefore it is good we return unto the ancient *Bounds of Unity in the Church of God*; which was, *One Faith, One Baptisme*; and not *one Hierarchie, one Discipline*, and that we observe the *League of Christians*, as it is penned by our *Saviour*, which is in substance of Doctrine, this, *He that is not with us, is against us*: But in Things indifferent, and but of circumstance, this, *He that is not against us, is with us*. In these things, so as the *general Rules* be observed; *That Christs Flock be fed*; *That there be a Succession in Bishops and Ministers*, which are the *Prophets of the New Testament*; *That there be a due and reverent use of the power of the Keys*; *That those that preach the Gospel, live of the Gospel*; *That all things tend to edification*; *That all things be done in order and with decency*, and the like, The rest is left to *Holy wisdom and Spiritual Discretion of the Master Builder and inferiour Builders in Christs Church*; As it is excellently alluded, by that *Father* that noted, *That Christs Garment was without Seame*, and yet the *Churchs Garment* was of *divers Colours*; And thereupon setteth down for a Rule; *In veste varietas fit, scissura non fit.*

Consecra-
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Considerations touching the Edification and Pacification of the Church of England.

In which Variety, nevertheless it is a safe and wise Course to follow good Examples and Presidents, but then by the Ruls of Imitation and Example to consider not only which are best, but which are the likeliest; as namely, the Government of the Church in the purest Times of the first Good Emperors that embraced the Faith. For the Times of Persecution before Temporal Princes received our Faith, as they were excellent Times for Doctrine and Manners, so they be unproper and unlike Examples of outward Government and Police. And so much for this Point: Now to the particular Points of Controversies, or rather of Reformation.

Circumstances in the Government of Bishops,

First therefore for the Government of Bishops, I for my part, not prejudging the Presidents of other Reformed Churches do hold it warranted by the Word of God, and by the practise of the ancient Church in the better Times; And much more convenient for Kingdomes than Parity of Ministers and Government of Synods. But then further, it is to be considered that the Church is not now to plant, or Build; But only to be pruned from Corruption; And to be repaired and restored in some decayes.

For it is worth the Noting that the Scripture saith, *Translatio Sacerdotii, necesse est, ut Legis fiat Translatio.* It is not possible in respect of the great and neer Sympathy between the State Civil, and the State Ecclesiastical, to make so main an alteration in the Church, but it would have a perilous operation upon the Kingdoms: And therefore it is fit that Controversie be in Peace and Silence.

But there be two Circumstances in the Administration of Bishops Wherein I confesse, I could never be satisfied; The one the sole Exercise of their Authority; The other the deputation of their Authority.

For the first, the Bishop giveth Orders alone; Excommunicateth alone; Judgeth alone. This seemeth to be a thing almost without example in good Government; and therefore not unlikely to have crept in, in the degenerate, and corrupt Times. We see the greatest Kings and Monarchs have their Councils: There is no Temporal Court in England of the higher sort, where the Authority doth rest in one person: The Kings Bench, Common Pleas, and the Exchequer are Benches of a certain Number of Judges. The Chancellor of England hath an Assistance of twelve Masters of the Chancery. The Master of the Wards hath a Council of the Court: So hath the Chancellor of the Duchy. In the Exchequer Chamber, the Lord Treasurer is joyned with the Chancellor and the Barons. The Masters of the Requests are ever more then One. The Justices of Assise are two. The Lord Presidents in the North, and in Wales have Councils of divers; The Star-Chamber is an assembly of the Kings Privy Council, aspersed with the Lords Spiritual and Temporal: So as in Courts the principal Person hath ever Colleagues or Assessors.

The like is to be found in other well governed Common-Wealths abroad, where the Jurisdiction is yet more dispersed; As in the Court of Parliament of France; And in other places. No man will deny but the Acts that pass the Bishops Jurisdiction are of as great Importance as those that pass the Civil Courts: For Mens Souls are more precious then their Bodies or Goods; And so are their Good Names. Bishops have their Infirmities, and have no Excepti-

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on from that general *Malediction*, which is pronounced against all Men Living; *V.e. Soli nam si occiderit*; &c. Nay, we see that the first warrant in *Spiritual Causes*, is directed to a Number; *Dic Ecclesie*; which is not so in *Temporal matters*: And we see that in general *Causes of Church Government*, there are as well assemblies of all the *Clergy in Councils*, as of all the *States in Parliament*: Whence should this sole exercise of Jurisdiction come? surely I do suppose, and I think upon good Ground; That *Ab Initio non fuit ita*: And that the *Deans and Chapters* were *Councils* about the *Sees and Chaires of Bishops* at the first, And were unto them a *Presbytery or Consistory*; And intermeddled not only in the disposing of their *Revenues*, and *Endowments*; but much more in *Jurisdiction Ecclesiastical*. But it is probable that the *Deans and Chapters* stuck close to the *Bishops* in matters of *Profit and the World*, and would not lose their hold but in matters of *Jurisdiction* (which they accounted but trouble and Attendance) they suffered the *Bishops* to encroach and usurp; and so the one continueth, and the other is lost. And we see that the *Bishop of Rome*, (*Eas enim & ab hoste doceri*, and no question in that *Church*, the first Institutions were excellent) performeth all *Ecclesiastical Jurisdiction* as in *Consistory*.

And whereof consisteth this *Consistory*, but of the *Parish Priests of Rome*, which term themselves *Cardinals*, a *Cardinibus Mundi*. Because the *Bishop* pretendeth to be universal over the whole *World*. And hereof again we see many *shadows yet remaining*: As that the *Dean and Chapter pro forma*, chooseth the *Bishop* which is the highest *Point of Jurisdiction*. And that the *Bishop* when he giveth *Orders*, if there be any *Ministers* casually present, calleth them to joyn with him in *Imposition of Hands*, and some other *Particulars*. And therefore it seemeth to me a Thing *Reasonable and Religious*, and according to the first *Institution* that *Bishops* in the greatest *Causes* and those require a *Spiritual discerning* namely, in *Ordaining*, *Suspending* or *depriving Ministers in Excommunication*, (being restored to the true and proper Use; As shall be afterwards touched) in sentencing the *Validity of Mariages* and *Legitimations*, in *Judging Causes Criminous* as *Symony*, *Incest*, *Blasphemy*, and the like; should not proceed sole and unassisted. Which *Point* (as I understand it) is a *Reformation*, that may be planted *sine Strepitu*, without any perturbation at all: And is a matter which will give strength to the *Bishops Countenance*, to the *inferior degrees of Prelates or Ministers*; And the better issue or proceeding to those *Causes* that shall pass.

And as I wish this strength given to the *Bishops by Council* so it is not unworthy your *Majesties Consideration*, whether you shall not think fit to give strength to the general *Council of your Clergy*, (the *Convocation House*) which was then restrained when the *State of the Clergy* was thought a suspected part to the *Kingdome* in Regard of their late *Homage to the Bishop of Rome*; which state now will give place to none in their *Loyalty and Devotion* to your *Majesty*.

For the *Second Point*; which is the *Deputation of their Authority*; I see no perfect and sure Ground for that neither: Being somewhat different from the *Examples and Rules of Government*. The *Bishop* exerciseth his *Jurisdiction* by his *Chancellor and Commissary Official*, &c. We see in all *Laws* in the world, *Offices of Confidence and skill* cannot be put over nor exercised by *Deputy*; Except it be especially contained in the *Original Grant*; And in that case it is dutiful. And for *Experience*, there was never any *Chancellor of England* made a *Deputy*. There was never any *Judge* in any Court made a *Deputy*. The *Bishop* is a *Judge* and of a high Nature; whence cometh it that

Constitutions touching the Edification and Pacification of the Church of England.

Considerations touching the Edification and Pacification of the Church of England.

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ne should depute? Considering, that all Trust, and Confidence, (as was said, is personal and Inherent: And cannot, nor ought not be transposed? Surely in this again; *Ab Instio non fuit sic*. But it is probable that *Bishops* when they gave themselves too much to the Glory of the World, and became *Grandeens* in Kingdoms, and great *Councillors* to Princes, then did they delegate, their proper jurisdictions, as things of too inferiour a Nature for their Greatness: And then after the Similitude and Imitation of Kings and Counts *Palatine*, they would have their *Chancellors* and *Judges*.

But that Example of Kings and Potentates giveth no good Defence. For the Reasons why Kings administer by their Judges, although themselves are *Supream Judges* are two. The one, because the Offices of Kings are for the most part of Inheritance; And it is a Rule in all Lawes, that Offices of Inheritance are rather Matters that Ground in Interest then in Confidence; For as much as they may fall upon Women, upon Infants, upon Lunaticks and Idiots, persons incapable to Execute Judicature in Person; And therefore such Offices by all Lawes, might ever be exercised and administered by Delegation. The Second Reason is, because of the Amplitude of their Jurisdictions; Which is as great as either their Birth-right from their Ancestours, or their Sword-right from God maketh it. And therefore, if Moses that was Governor over no great People, and those collected together, in a Camp; And not scattered in Provinces and Cities: Himself of an extraordinary Spirit; Was nevertheless not able to suffice and hold out in person to judge the People; But did by the advise of Jethro approved from God, substitute Elders and Judges, how much more other Kings and Princes.

There is a third Reason likewise, though not much to the present purpose: And that is, That Kings either in respect of the Common-wealth, or of the Greatness of their own Patrimonies, are usually Parties in Suites: And then their Judges stand indifferent between Them and the Subject. But in the Case of Bishops, none of these Reasons hold. For first their Office is Elective and for Life and not Patrimonial or Hereditary: An Office meerly of Confidence, Science, and Qualification: And for the Second Reason, it is true, that their Jurisdiction is Ample and spacious; And that their Time is to be divided between the Labours: As well in the Word and Doctrine, as in Government and Jurisdiction. But yet I do not see, (supposing the Bishop Courts to be used incorruptly and without any indirect course held to multiply Causes for gain of Fees;) But that the Bishop might very well for Causes of Moment, supply his Judicial Function in his own Person: For we see before our Eyes that one Chancellor of England dispatcheth the Suites in Equity of the whole Kingdom; which is not so much by reason of the Excellency of that Rare Honourable Person, which now holdeth the place: But it was ever so, though more or less burdalous to the Suiter as the Chancellor was more or less able to give dispatch. And if Hold be taken of that which was said before, that the Bishops Labour in the Word must take up a principal Part of his Times, so I may say again, that Matters of State have ever taken up, most of the Chancellors Time: Having been for the most part, Persons upon whom the Kings of this Realm have most relyed, for Matters of Council. And therefore there is no Doubt but the Bishop whose Circuit is less ample, and Causes in Nature not so multiplying, with the Help of References and Certificates to and from fit Persons, for the better Ripening of Causes in their mean proceedings: And such ordinary Helps incident to Jurisdiction: May very well suffice his Office. But yet there is another Help: For the Causes that come before him are these: Tithes, Legacies, Administrations, and other Testamentary

tary Causes, Causes Matrimonial, accusations against Ministers, tending to their Suspension, Deprivation or Degradation, Simony, Incontinency, Heresy, blasphemy, Breach of the Sabbath, & other like Causes of Scandal. The first two of these in my Opinion, differ from the Rest; That is Tithes and Testaments. For those be matters of profit, and in their nature Temporal; Though by a Favour and Connivence of the Temporal Jurisdiction, they have been allowed and permitted to the Courts Ecclesiastical: The one to the end the Clergy might sue for that that was their Sustentation before their own Judges, and the other in a kind of Piety and Religion, which was thought incident to the performance of Dead mens Wills. And surely for these two the Bishop in mine opinion may with less danger discharge himself upon his Ordinary Judges. And I think likewise it will fall out, that those Suites are in the greatest number. But for the rest, which require a spiritual Science, and Discretion, in respect of their Nature or of the Scandal, it were reason in my Opinion, there were no Audience given, but by the Bishop himself; He being also assisted, as was touched before: But it were necessary also he were attended by his Chancellor, or some others his Officers, being learned in the Civil Lawes, for his better Instruction in Points of Formality or the Courses of the Court, which if it were done, then were there less use of the Officials Court: Whereof there is now so much Complaint. And Causes of the Nature aforesaid, being only drawn to the Audience of the Bishop, it would repress frivolous and prowling Suites, and give a grave and Incorrupt proceeding to such Causes as shall befit for the Court.

There is a third Point also not of Jurisdiction but of Form of Proceeding which may deserve Reformation. The rather because it is contrary to the Lawes, and Customes of this Land and State, which though they do not rule those Proceedings, yet may they be advised with for better Directions and that is the Oath ex Officio: Whereby Men are enforced to accuse themselves; and that that is more are sworn unto blanks, and not unto Accusations and Charges declared. By the Law of England no man is bound to accuse himself. In the highest Cases of Treason, Torture is used for discovery and not for Evidence. In Capital matters no delinquents answer upon Oath, is required; No, nor permitted. In Criminal matters not Capital handled in the Star-Chamber, and in Causes of Conscience handled in the Chancery, for the most part grounded upon Trust and Secrecy the Oath of the Party is required. But how? Where there is an accusation and an accuser, which we call Bills of Complaint (From which the Complainant cannot vary, and out of the compass of the which the Defendant may not be examined) Exhibited unto the Court, and by Process notified unto the Defendant. But to examine a Man upon Oath, out of the Insinnuation of Fame, or out of accusations secret and undeclared: Though it have some Countenance from the Civil Law; yet it is so opposite Ex Diametro to the sense and Course of the Common Law, as it may well receive some Limitation.

Considerations touching the Edification and Pacification of the Church of England.

Concerning the Liturgy, the Ceremonies and Subscription.

FOR the Liturgy, great Respect and Heed would be taken, least by inveighing against the Dumb Ministry, due Reverence, be not withdrawn from the Liturgy. For though the Gift of Preaching, be far above that of

Considerations touching the Edification and Pacification of the Church of England.

Reading; Yet the *Action* of the *Liturgy* is as High and holy as that of the *Sermon*. It is said: *Domus mea Domus Orationis Vocatur: The House of Prayer, Not the House of Preaching*: And whereas the *Apostle* saith, *How shall men call upon him, on whom they have not believed? And how shall they believe unless they hear? And how shall they hear without a Preacher?* It appeareth that as *Preaching* is the more *Original*, so *Prayer* is the more *Final*: As the difference is between the *Seed* and the *Fruit*: For the keeping of *Gods Law*, is the *Fruit* of the *Teaching* of the *Law*, and *Prayer* or *Invocation* or *Divine Service*, or *Liturgy* (For these be but *Varieties of Terms*;) Is the *Immediate Hallowing* of the *Name of God*: And the principal work of the first *Table*, and of the great *Commandment* of the *Love of God*. It is true that the *Preaching* of the *Holy word of God* is the *Sowing of the Seeds*: It is the *Lifting up* of the *Brazen Serpent*; The *Ministry of Faith*; and the ordinary *Means of Salvation*: But yet it is good to take *Example* how that the best *Actions* of the *Worship of God* may be extolled *excessively* and *superstitiously*. As the *Extolling* of the *Sacrament*, bred the *Superstition* of the *Mass*; The *Extolling* of the *Liturgy* and *Prayers*, bred the *Superstition* of the *Monastical Orders* and *Oraisons*: And so no doubt *Preaching* likewise may be magnified and extolled *superstitiously*, as if all the whole *Body of Gods worship* should be turned into an *Ear*. So as none (as I suppose) of sound judgment will derogate from the *Liturgy*, if the *Form* thereof be in all parts agreeable to the *Word of God*; The *Example* of the *Primitive Church*; and that holy *Decency* which *Saint Paul*, commendeth. And therefore first, that there be a *Set Form of Prayer*, and that it be not left either to an *Extemporal Form* or to an *Arbitrary Form*. Secondly that it consist as well of *Laude*, *Hymnes*, and *Thanksgivings*, as of *Petitions*, *Prayers* and *Supplications*. Thirdly, that the *Form* thereof be quickned with some shortness and *Diversities of Prayers* and *Hymnes*, and with some *Interchanges* of the *Voice* of the *People* as well as of the *Minister*. Fourthly that it admit some *Distinctions of Times*, and *Commemorations of Gods principal Benefits*, as well general as particular. Fifthly that *Prayers* likewise be appropriated to several *Necessities* and *Occasions* of the *Church*. Sixthly, that there be a *Form* likewise of *Words* and *Liturgy* in the *Administration* of the *Sacraments*, and in the *Denouncing* of the *Censures* of the *Church*, and other *Holy Actions* and *Solemnities*: These things I think will not be much controverted.

But for the *Particular Exceptions* to the *Liturgy* in form as it now standeth, I think divers of them allowing they were just, yet they seem not to be *Weighty*; Otherwise then that nothing ought to be accounted *Light* in matters of *Religion and Piety*; As the *Heathen* himself could say *Etiam vultu sepe leditur Pietas*. That the word (*Priest*) should not be continued especially with *Offence*, the word (*Minister*) being already made familiar. This may be said that it is a good *Rule* in *Translation*, never to confound that in one word in the *Translation*, which is precisely distinguished in two words in the *Original*, for doubt of *Equivocation* and *Traducing*. And therefore seeing the word *Πρεσβυτερος* & *ἐπίσκοπος*, be alwaies distinguished in the *Original*; And the one used for a *Sacrificer*, the other for a *Minister*; The word *Priest* being made common to both (whatsoever the *Derivation* be) yet in use it confoundeth the *Minister* with the *Sacrificer*. And for an *Example* of this kind I did ever allow the discretion, and tenderness of the *Rhomish Translation* in this Point; That finding in the *Original* the word *ἀγάπη* and never *ἔρως*, do ever translate *Charity*, and never *Love*, because of the *Indifferency* and *Equivocation* of the word *Impure Love*.

Touching the *Absolution*, it is not unworthy Consideration whether it may not be thought improper and unnecessary? For there are but two sorts of *Absolution*: Both supposing an *Obligation* precedent: The one upon an *Excommunication*, which is *Religious* and *Primitive*; The other upon *Confession* and *Penance*, which is *Superstitious*, or at least *Positive*; and both particular, neither general. Therefore since the one is taken away, and the other hath his proper case, what doth a *general absolution* wherein there is neither *Penance* nor *Excommunication*, precedent? For the *Church* never loseth, but where the *Church* hath bound. And surely I may think this at the first was allowed in a kind of spiritual discretion; Because the *Church* thought the people could not be suddenly weaned from their Conceit of *Absolving*; To which they had been so long accustomed,

For *Confirmation* to my understanding the state of the Question is whether it be not a matter mistaken and altered by Time; and whether that be not now made a *subsequent* to *Baptism*, which was indeed an *Inducement* to the *Communion*. For whereas in the *Primitive Church* Children were examined of their Faith before they were admitted to the *Communion*, Time may seem to have turned it to refer as if it had been to receive a *Confirmation* of their *Baptism*.

For *Private Baptism* by *Women* or *Lay-Persons*, the best *Divines* do utterly condemn it; and I hear it not generally defended; and I have often marvelled that where the *Book* in the *Preface* to *Publick Baptism* doth acknowledge that *Baptism* in the practise of the *Primitive Church* was *Anniversary* and but at certain times; which sheweth that the *Primitive Church* did not attribute so much to the Ceremony as they would break an outward and general Order for it, the *Book* should afterwards allow of *Private Baptism* as if Ceremony were of that Necessity, as the very *Institution* which committed *Baptism* only to the Ministers, should be broken in regard of the supposed Necessity. And therefore this point of all others I think was but a *Concessum propter duritiam Cordis*.

For the *Form of celebrating Matrimony*, the *Ring* seemeth to many even of vulgar sense and Understanding a Ceremony not Grave, Especially to be made as the words make it) the essential part of the Action besides some other of the words are noted in Speech to be not so decent and fit.

For *Musick in Churches*; That there should be singing of *Psalmes* and *Spiritual Songs* is not denyed: So the Question is *de Modo*, wherein if a man will look attentively into the Order and Observation of it, it is easie to discern between the *Wisdom* of the *Institution* and the exercise of the late *Times*. For first there are no Songs or Verses sung by the *Quire* which are not supposed by continual use to be so familiar with the People, as they have them without Book, whereby the sound hurteeth not the Understanding, and those which cannot read upon the Book are yet Pertakers of the Sense and may follow it with their mind. So again after the reading of the *Word*, it was thought fit there should be some pause for Holy Meditations before they proceeded to the Rest of the Service: Which Pause, was thought fit to be filled rather with some grave sound than with a still silence; Which was the Reason of the Playing upon the *Organs* after the *Scriptures* read. All which was decent and tending to Edification. But then the Curiosity of *Devotion* and *Reports*, and other Figures of *Musick*, have no Affinity with the Reasonable Service of God but were added in the more pompous Times.

For the *Capp* and *Surplice*, since they be Things in their Nature indifferent,
And

Consideration touching the Edification and Pacification of the Church of England.

Considerations touching the Edition and Pacification of the Church of England.

And yet by some, held superstitious; and that the Question is between Science; and Conscience It seemeth to fall within the compass of the *Apostles Rule*, which is, *That the stronger do descend and yield to the weaker*. Only the difference is, that it will be materially said, that the *Rule* holdeth between *Private man*, and *Private man*, But not between the Conscience, if a *Private man* and the *Order of a Church*. But yet since the *Question* at this time is of a *Tolleration*; not by *Conscience*, which may encourage *Disobedience*; But by *Law* which may give a *Liberty*; It is good again to be advised whether it fall not within the *Equity* of the *Former Rule*: The rather because the *Silencing of Ministers* by this *Occasion* is, in this scarcity of good *Preachers*, a punishment that lighteth upon the *People*, well as upon the *Party*. And for the *Subscription* it seemeth to me, in the *Nature of a Confession*, and therefore more proper to bind in the *Unity of Faith*, and to be urged rather for *Articles of Doctrine*, then for *Rites and Ceremonies*, and *Points of outward Government*. For howsoever *Politick Considerations* and *Reasons of State*, may require *Uniformity*, yet *Christian and Divine Grounds*, look chiefly upon *Unity*.

Touching a Preaching Ministry.

TO speak of a *Learned Ministry*; It is true that the *Worthiness* of the *Pastor and Ministers* is of all other points of *Religion* the most *Summary*; I do not say the *Greatest* but the most *Essential* towards the rest: But herein to my *Understanding*, while Men go on in *Zeal*, to hasten this work they are not aware of as great or greater *Inconvenience*, then that which they seek to remove. For while they inveigh against a *Dumb Ministry*, they make too easie and too promiscuous an allowance of such as they account *Preachers*; Having not *Respect* enough to their *Learnings* in other *Arts*, which are *Handmaids*, to *Divinity*; Not *respect* enough to *Years*, except it be in *Case of extraordinary Gifts*; Not *respect* enough to the *Gift* it self, which many times is none at all. For *God forbid*, that every *Man* that can take unto himself boldness to speak an hour together in a *Church* upon a *Text*, should be admitted for a *Preacher*, though he mean never so well. I know there is a *Latitude in Gifts*; and a great *Variety* in *Auditories* and *Congregations*; But yet so as there is *Aliquid Infimum*, below which you ought not to descend. For you must rather leave the *Ark* to shake as it shall please *God*, then put unworthy hands to hold it up: And when we are in *Gods Temple*, we are warned rather to put our hands upon our Mouth Then to offer the sacrifice of *Fools*. And surely it may be justly thought that amongst many *Causes of Atheism*, which are miserably met in our age; as *Schismes* and *Controversies* *Profane scoffings in Holy matters* and others, It is not the least that divers do adventure to handle the *Word of God* which are unfit and unworthy. And herein I would have no man mistake me, as if I did extoll curious, and affected *Preaching*; which is as much on the other side, to be disliked; and breedeth *Atheism*, and scandal as well as the other (For who would not be offended at one that cometh into the *Pulpit* as if he came upon the *Stage* to play parts or prizes) neither on the other side, as if I would discourage any who hath any *tollerable Gift*.

But upon this *Point* I ground three *Considerations*: First, whether it were not requisite to renew that good *Exercise* which was practised in this *Church* some years; And afterwards put down by order indeed from the *Church*

In

In regard of some Abuse thereof; Inconvenient for those Times: And yet against the Advice and Opinion of one of the Greatest and Gravest Prelats of this Land; And was commonly called *Prophecyng*. Which was this, That the *Ministers* within a *Precinct* did meet upon a week day in some principal Town; where there was some ancient *Grand Minister* that was *President*: And an *Auditory* admitted of *Gentlemen*, or other *Persons* of *Leysure*. Then every *Minister* successively, beginning with the youngest, did handle one and the same part of *Scripture*, spending severally, some *Quarter* of an *Hour* or better, and in the whole some *two Hours*: And so the *Exercise* being begun and concluded with *Prayer*; And the *President* giving a *Text*, for the next meeting, the *Assembly* was dissolved. And this was as I take it, a fortnights *Exercise*: which in my Opinion, was the best way to frame and train up *Preachers* to handle the *Word of God* as it ought to be handled, that hath been practised. For we see *Oratours* have their *Declamations*, *Lawyers* have their *Moots*, *Logicians* their *Sophisms*; And every practise of Science hath an *Exercise* of *Erudition* and *initiation* before Men come to the *Life*, *Only Preaching*, which is the worthiest; And wherein it is most danger to be amiss; Vvanteth an introduction, and is ventred and trusted upon at the first: But unto this *Exercise* of the *Prophecy*, I would wish these two *Additions*: The one, that after this *Exercise*, which is in some sort *Publike*, there were immediately a *Private Meeting* of the same *Ministers*, Where they might brotherly admonish the one the other: And specially the elder sort the younger, of any Thing that had passed in the *Exercise* in *Matter* or *Manner* unsound and uncomely; And in a word might mutually use such *Advice*, *Instruction*, *Comfort* or *Encouragement*, as *Occasion* might minister; For *publike Reprehension* were to be debarred. The other *Addition* that I mean, is, That the same *Exercise*, were used in the *Universities*, for young *Divines*, before they presumed to *Preach*, as well as in the *Countrey* for *Ministers*. For they have in some *Colleges* an *Exercise* called a *Common Place*, Which can in no Degree be so profitable, being but the *Speech* of one Man at one time. And if it be feared, that it may be *Occasion* to whet Mens *Speeches* for *Controversies*, it is easily remedied, by some strict *Prohibition*, that *Matters* of *Controversie* tending any way to the violating or *Disquieting* the *Peace* of the *Church*, be not handled or entered into; Which *Prohibition* in regard there is ever to be a *Grave Person President* or *Moderator* cannot be frustrate. The second *Consideration* is, whether it were not convenient, there should be a more exact *Prohibition* and *Examination* of *Ministers*; Namely, that the *Bishops* do not ordain alone but by *Advice*; And then that *Ancient Holy Orders* of the *Church* might be revived: By the which the *Bishop* did *Ordain Ministers* but at *four set times* of the year; which were called, *Quatuor Tempora*; which are now called *Ember weeks*; It being thought fit to accompany so High an *Action* with general *Fasting*, and *Prayer*, and *Sermons*, and all *Holy Exercises*; And the *Names* likewise of those that were to be *Ordained*, were published some dayes before their *Ordination*, To the end *Exceptions* might be taken if just Cause were. The third *Consideration* is, that if the Cause of the *Church* of *England* be, that a *Computation* is taken of all the *Paro-chian Churches*, (allowing the *Union* of of such as were too small, and adjacent;) And again a *Computation* to be taken of the *persons*, who are worthy to be *Pastors*; And upon the said Account, if it fall out that there are many more *Churches* then *Pastours*; Then of *Necessity* *Recourse* must be had to one of these *Remedies*; Either *Pluralities* must be allowed, (specially,

Considerations touching the Edification and Pacification of the Church of England.

Considerations touching the Edification and Pacification of the Church of England.

if you can by permutation, make the *Benefices* more compatible:) Or that there be *Allotted Preachers*, to have a more general Charge, to supply and serve by turne *Parishes* unfurnished: For that some *Churches*, should be provided of *Pastours* able to teach; and others wholly *Destitute*; seemeth to me to be against the *Communion of Saints* and *Chr. Stars*; And against the *Practise* of the *Primitive Church*.

Touching the Abuse of Excommunication.

Excommunication is the greatest Judgement upon Earth; Being that which is ratified in Heaven; And being a *Precursory* or *Prelusory* judgement of the great Judgement of Christ in the End of the World. And therefore for this to be used unreverently and to be made an *Ordinary Process*, to lackey up and down for *Fees*, how can it be without Derogation to Gods Honour, and making the power of the *Keyes* contemptible? I know vey well the Defence thereof, which hath no great Force; That it issueth forth, not for the Thing it self, but for the *Contumacy*. I do not deny, but this Judgement is, (as I said before,) of the Nature of Gods Judgments, of the which it is a *Model*. For as the Judgement of God, taketh hold upon the least sin, of the *Impenitent*; And taketh no hold, of the greatest Sin of the *Convert* or *Penitent*: So *Excommunication*, may in case issue upon the smallest Offence; And in Case not issue upon the greatest: But is this *Contumacy*, such a *Contumacy*, as *Excommunication* is now used for? For the *Contumacy* must be such as the Party, (as far as the Eye and Wisdom, of the Church can discern,) standeth in State, of *Reprobation*, and *Damnation*: As one that for that time, seemeth given over to *Final Impenitency*. Upon this Observation, I ground two Considerations, The one, that this *Censure*, be restored to the true *Dignity* and *Use* thereof, which is, that it proceed not but in Causes of great weight; And that it be decreed not by any *Deputy*, or *Substitute* of the *Bishop*, but by the *Bishop* in Person; And not by him alone, but by the *Bishop Assisted*.

The other Consideration is, That in lieu thereof, there be given, to the *Ecclesiastical Court*, some ordinary *Process* with such Force, and Coercion as appeareth; That so the *Dignity*, of so high a Sentence, being retained, and the Necessity of *Mean Process* supplied the Church way be indeed restored, to the Ancient Vigour and Splendour. To this purpose, joyn'd with some other Holy and Good purposes, was there a *Bill*, drawn in *Parliament*, in the Three and Twentieth Year of the *Raign* of the *Queen* deceased; (which was the Gravest *Parliament* that I have known; and the *Bill* recommended by the gravest *Councillor* of *Estate* in *Parliament* Though afterwards, it was stayed by the *Queens* special *Commandment*, the Nature of those Things considered.

Touching } NON-RESIDENTS,
And } PLURALITIES.

FOR *Non-Residence*, except it be in case of necessary Absence, it seemeth an Abuse drawn out of *Covetousness*, and *Sloth*, For that Men should *Lieze* of the *Flock*, that they do not *Feed*; Or of the *Alier*, at which they do not *Serve*; Is a Thing that can hardly receive just Defence.

And

And to Exercise, the Office, of a *Pastour*, in Matter of the Word, and Doctrine, by Deputies; Is a Thing not warranted, as hath been touched before. The Questions upon this Point, do arise, upon the Cases of *Exception*, and *Excusation*; Which shall be thought *Reasonable* and *Sufficient*; And which not. For the Case of *Chaplains*, let me speak that with your Majesties pardon, and with Reverence, towards the other Peers, and Grave Persons, whose *Chaplains*, by *Statutes*, are privileged: I should think, that the Attendance which *Chaplains* give, to your *Majesties Court*, and in the Houses, and Families, of their *Lords*, were a juster Reason, why they should have no *Benefice*, then why, they should be qualified to have Two: For, as it standeth with Christian Policy, that such Attendance be in no wise neglected; Because that good, which ensueth thereof to the *Church of God*, may exceed, or countervail that which may follow of their Labours in any, though never so large a *Congregation*; So it were reasonable that their *Maintenance* should *Honourably*, and *Liberally*, proceed thence, whence, their *Labours* be employed. Neither, are there wanting, in the *Church*, *Dignities*, and *Preferments*, not joyned, with any exact *Cure of Souls*; By which; and by the Hope of which such *Attendants* in *Ordinary*, (who ought to be, as for the most part they are, of the best Gifts, and Sort,) may be further encouraged, and rewarded. And as for *Extraordinary Attendants*, they may, very well, retain the Grace, and Countenance, of their places, and Duties, at times incident thereunto, without *Discontinuance*, or *Non-Residence*, in their *Pastoral Charges*. Next, for the Case of intending *Studies* in the *Universities*, it will more easily receive an Answer; For *Studies* do but serve, and tend to the Practice of those *Studies*; and therefore, for that, which is most principal and final to be left undone, for the attending of that which is *Subservient*, and *Subministrant*, seemeth to be against proportion of *Reason*. Neither do I see, but that they proceed right well in all Knowledge, which do couple *Study* with their *Practice*; and do not first *Study altogether*, and then *Practice altogether*; and therefore they may very well Study at their *Benefices*. Thirdly, For the Case of *Extraordinary Service* of the *Church*; As if some *Pastour* be sent to a *General Council*; or here to a *Convocation*; and likewise for the Case of necessity, as in the particular, of *Infirmity of Body*, and the like; no man will contradict, but there may be some *Substitution* for such a Time. But the General Case of Necessity, is the Case of *Pluralities*; the Want of *Pastours*, and *Insufficiency of Livings* considered, *Posito*, that a Man doth faithfully and incessantly divide his Labours between two Cures; which kind of Necessity I come now to speak of in the handling of *Pluralities*.

For *Pluralities*, in Case the Number of *Able Ministers* were sufficient, and the *Value of Benefices* were sufficient, then *Pluralities* were in no sort tollerable. But we must take heed, we desire not Contraries. For to desire that every Parish should be furnished with a sufficient *Preacher*; and to desire that *Pluralities* be forthwith taken way, is to desire Things contrary; considering, *De Facto*, there are not *Sufficient Preachers* for every *Parish*: Where to adde likewise, that there is not *Sufficient Living* and Maintenance in many *Parishes*, to maintain a *Preacher*; and it maketh the Impossibility yet much the greater. The Remedies, in *Rerum Naturâ*, are but Three; *Union*, *Permutation*, and *Supply*. Union,

Considerations touching the Edification and Pacification of the Church of England.

Considerations touching the Edification, and Pacification of the Church of England.

of such *Benefices* as have the *Living* too small, and the *Parish* not too great, and are *Adjacent*. *Permutation*, to make *Benefices* more compatible, though men be overuled to some loss, in changing a *Better* for a *Nearer*. Supply, by *Stipendary Preachers*, to be rewarded with some *Liberal Stipends*, to supply, as they may, such places which are unfurnished of *sufficient Pastours*. As *Queen Elizabeth*, amongst other her *Gracious Acts*, did erect certain of them in *Lancashire*; Towards which *Pensions*, I see no reason but *Reading Ministers*, if they have rich *Benefices* should be charged.

Touching the Provision, for sufficient Maintenance, in the Church.

Touching *Church Maintenance*, it is well to be weighed, what is, *Jure Divino*, and what, *Jure Positivo*. It is a *Constitution* of the *Divine Law*, from which humane *Laws* cannot derogate; That those which feed the *Flock*, should live of the *Flock*; That those that serve at the *Altar*, should live of the *Altar*; That those which dispense *spiritual things*, should reap *temporal things*; Of which it is also an *Appendix*, that the *Proportion* of this *Maintenance* be not small or necessitous, but *Plentiful*, and *Liberal*. So then, that all the *Places* and *Offices* of the *Church* be provided of such a *Dotation*, that they may be maintained, according to their several *Degrees*, is a *Constitution*, permanent, and perpetual: But for particularity of the *Endowment*, whether it should consist of *Tithes*, or *Lands*, or *Pensions*, or *Mixt*, might make a *Question* of *Convenience*, but no *Question* of *precise Necessity*. Again, that the *Case* of the *Church*, *de facto*, is such, that there is want in the *Church* of *Patrimony*, is confessed. For the *Principal Places*, namely, the *Bishops Livings*, are in some particulars not sufficient; and therefore enforced to be supplied by *Tolleration* of *Commendams*, *Things*, of themselves unfit, and ever held of no good Report. And as for the *Benefices* and *Pastors* *Places*, it is manifest that very many of them are very weak and penurious. On the other side, that there was a *Time* when the *Church* was rather burthened with *Superfluity*, then with *Lack*, that is likewise apparent; but it is long since; so as the *Fault* was in others, the *Want* redoundeth unto us. Again, that it were to be wished that *Impropriations*, were returned to the *Church* as the most *Proper* and *Natural Endowments* thereof, is a *Thing* likewise wherein *Mens* *Judgments* will not much vary. Nevertheless, that it is an *Impossibility* to proceed now, either to their *Resumption* or *Redemption*, is as plain on the other side. For *Men* are stated in them by the *Highest Assurance* of the *Kingdom*, which is, *Act of Parliament*; and the value of them amounteth much above ten *Subsidies*: And the *Restitution* must of necessity pass their *Hands*, in whose *Hands* they are now in possession or interest.

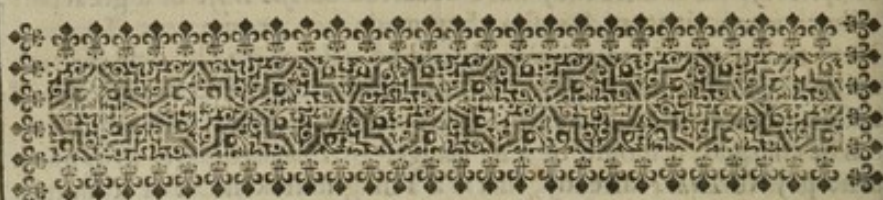
But of these things which are manifestly true, to infer, and ground some *Conclusions*. First, In mine own *Opinion* and *Sense*, I must confess (let me speak it with *Reverence*) that all the *Parliaments* since 27. and 31. of *H. 8.* (who gave away *Impropriations* from the *Church*) seem to me to stand in a sort obnoxious, and obliged to *God* in *Conscience*, to do somewhat for the *Church*; To reduce the *Patrimony* thereof to a

Competency. For since they have debarred *Christs Wife* of a great part of her *Dowry*, it were Reason they made her a competent *Jynture*. Next to say, that *Impropriations* should be only charged; that carrieth neither *Possibility* nor *Reason*. Not *Possibility* for the Reasons touched before: Not *Reason*, because, if it be conceived, that if any other Person be charged, it should be a *Re-charge*, or *Double-Charge*, in as much as he payeth *Tithes* already, that is a Thing mistaken. For it must be remembered that as the *Realm* gave *Tithes* to the *Church*; So the *Realm*, since again, hath given *Tithes* away from the *Church* unto the *King*: As they may give their eighth *sheaf* or ninth *sheaf*. And therefore the first Gift being evacuated, it cannot go in defeazance, or discharge of that perpetual Bond, wherewith Men are bound to maintain Gods Ministers. And so we see, in Example, that divers Godly and well *Disposed People*, not *Impropriators*, are content to encrease their *Preachers Livings*; which, though in *Law* it be but a *Benevolence*, yet before *God* it is a *Conscience*. Further, that *Impropriations* should not be somewhat more deeply charged, then other *Revenues* of like value, methinks cannot well be denied; both in regard of the *Ancient claim* of the *Church*; And the Intention of the *first Giver*; And again, because they have passed in *valuation* between Man and Man, somewhat at the less rate, in regard of the said pretence or claim of the *Church* in *Conscience* before *God*. But of this Point touching *Church-Maintenance*, I do not think fit to enter into further Particularity, but reserve the same to a fitter Time.

Thus have I in all Humbleness and Sincerity of Heart, to the best of my understanding, given your *Majesty* Tribute of my Cares and Cogitations in this *Holy business*; So highly tending to *Gods Glory*, your *Majesties Honour*, and the Peace and Welfare of your *States*. Inasmuch, as I am perswaded, that the *Papists* themselves should not need so much the Severity of Penal Laws, if the *Sword* of the *Spirit* were better edged by strengthening the *Authority*, and suppressing the *Abuses* in the *Church*.

To conclude, renewing my most Humble Submission of all that I have said to your *Majesties* most *High Wisdom*; And again, most humbly craving pardon for any Errors committed in this *Writing*; which, the same weakness of Judgment that suffered me to commit them, would not suffer me to discover them; I end with my Devout and Fervent Prayer to *God*; that as he hath made your *Majesty* the *Corner-stone*, in joyning your two *Kingdoms*; So you may be also as a *Corner-stone* to unite and knit together these Differences in the *Church* of *God*; to whose Heavenly Grace, and never erring Direction, I commend your *Majesties* Sacred Person, and all your Doings.

Considerations touching the Edification, and Pacification of the Church of England.



CERTAIN
CONSIDERATIONS
TOUCHING THE
PLANTATION
IN
IRELAND.

PRESENTED
TO
His Majesty.

1606.

IT seemeth God hath reserved to your *Majesties* Times, two *Works*; which amongst the *Works* of *Kings*, have the supream Preheminence; The *Union* and *Plantation* of *Kingdoms*. For although it be a great Fortune for a *King* to deliver or recover his *Kingdom*, from long continued Calamities; yet in the judgment of those that have distinguished of the Degrees of *Sovereign Honour*; To be a *Founder* of *Estates* or *Kingdoms*, excelleth all the rest. For, as in *Arts* and *Sciences*, to be the first *Inventer*, is more, then to *Illustrate* or *Amplifie*: And as in the *Works* of *God*, the *Creation* is greater then the *Preservation*; And as in the *Works* of *Nature*, the *Birth* and *Nativity*, is more then the *Continuance*: So in *Kingdoms*, the first *Foundation* or *Plantation*, is of more Noble *Dignity* and *Merit*, then all that followeth. Of which *Foundations*, there being but two *Kinds*; The first that maketh One of More; And the Second, that maketh One of None; The Latter resembling the *Creation* of the *World*, which

was *De Nihilo ad Quid*; And the Former, the Edification of the Church, which was *de Multiplici ad Simplex, vel ad unum*: It hath pleased the Divine Providence, in singular Favour to your Majesty, to put both these Kinds of Foundations or Regenerations, into your Hand; The one, in the Union of the Island of Britain; The other, in the Plantation of Great and Noble Parts of the Island of Ireland: Which Enterprises, being once happily accomplished; Then that which was uttered by One of the best Oratours, in one of the Worst verses; *O fortunatam natam me Consule Romam*: May be far more truly and properly applied to your Majesties Act: *Natam te Rege Britanniam; Natam Hiberniam*. For he spake, improperly of Deliverance and Preservation; But in these Acts of yours, it may be verified more naturally. For indeed, Unions and Plantations, are the very Nativities or Birth-days of Kingdoms. Wherein likewise, your Majesty hath yet a Fortune extraordinary, and differing from former Examples, in the same Kind. For most Part of Unions and Plantations of Kingdoms, have been founded in the Effusion of Blood; But your Majesty shall build, in *solo puro*, & in *Area pura*, that shall need no Sacrifices Expiatory, for Blood; And therefore, (no doubt) under a Higher and more Assured Blessing. Wherefore, as I adventured, when I was less known and less particularly bound to your Majesty, then since, by your undeserved Favour I have been, to write somewhat touching the Union, which your Majesty was pleased to accept; And which since I have to my power seconded by my Travels; Not only in Discourse, but in Action: So I am thereby encouraged to do the like, touching this Matter of Plantation; Hoping that your Majesty, will, through the weakness of my Ability, discern the strength of my Affection; And the Honest and fervent Desire I have, to see your Majesties Person, Name, and Times, Blessed, and Exalted, above those, of your Royal Progenitors. And I was the rather, invited this to do, by the Remembrance, that when the Lord chief Justice deceased, Popham, served in the place, wherein I now serve; And afterwards, in the Attorney's Place, he laboured greatly, in the last Project, touching the Plantation of Munster. Which nevertheless, as it seemeth, hath given more light, by the Errors thereof, what to Avoyd; Then, by the Direction of the same, what to Follow.

First therefore, I will speak somewhat of the Excellency of the Work; And then, of the Means to compass and effect it. For the Excellency of the Work, I will divide it into four Noble and Worthy Consequences that will follow thereupon. The First of the four, is Honour; whereof I have spoken enough already, were it not that the Harp of Ireland puts me in mind of that Glorious Embleme or Allegory, wherein the wisdom of Antiquity did figure and shadow out works of this Nature. For the Poets feigned, that Orpheus by the vertue and sweetness of his Harp, did call and assemble the Beasts and Birds of their Nature wild, and savage, to stand about him, as in a Theatre; Forgetting their Affections, of Fierceness, of Lust, and of Prey; and listening to the Tunes and Harmonies of the Harp: and soon after, called likewise the Stones, and the Woods to remove, and stand in order about him: which Fable was anciently interpreted, of the Reducing, and Plantation of Kingdoms; when People of Barbarous Manners, are brought to give over and discontinue their Customs, of Revenge and Blood, and

Considerations touching the Plantations in Ireland.

Considerations
touching
the Plantations
in Ire-
land.

of dissolute Life, and of Theft, and of Rapine; And to give Ear to the wisdom of *Laws and Governments*, whereupon, immediately followeth, the *Calling of Stones*, for Building, and Habitation; and of Trees, for the seats of Houses, Orchards, and Enclosures, and the like.

This Work therefore, of all other, most Memorable and Honourable, your Majesty hath now in Hand; specially, if your Majesty joyu the Harp of *David*, in casting out the Evil Spirit of *Superstition*; with the Harp of *Orpheus*, in casting out *Desolation* and *Barbarism*.

The second Consequence of this Enterprize, is the Avoiding of an Inconvenience, which commonly attendeth upon Happy Times, and is an evil effect, of a good Cause. The Revolution of this present Age, seemeth to incline to Peace, almost generally in these Parts; And your Majesties most Christian and vertuous affections do promise the same more specially, to these your Kingdoms. An effect of Peace in Fruitful Kingdoms, (where the stock of People receiving no Consumption, nor Diminution by *war*, doth continually multiply and encrease;) must in the end, be a surcharge, or Overflow of People, more then the Territories can well maintain; Which many times, insinuating a general Necessity and want of Means into all Estates, doth turn External Peace, into Internal Troubles and Seditions. Now what an excellent Diversion of this Inconvenience is ministred, by Gods Providence, to your Majesty in this Plantation of Ireland? wherein so many Families may receive Sustentations and Fortunes; and the discharge of them also out of England and Scotland, may prevent many Seeds of Future perturbations? So that it is, as if a man were troubled for the Avoidance of water from the place where he hath built his House, and afterwards, should advise with himself, to cast those waters, and to turn them into fair Pools or Streams, for pleasure, provision, or use. So shall your Majesty in this Work have a double Commodity, in the Avoidance of People here, and in Making use of them there.

The third Consequence, is the great safety that is like to grow to your Majesties Estate in general by this Act; In discomfitting all Hostile Attempts of Foreigners, which the Weakness of that Kingdom, hath heretofore invited: Wherein I shall not need to fetch Reasons afar off, either for the general or particular. For the general, because nothing is more evident then that, which one of the Romans said of *Peloponnesus*, *Tesudo intra tegumentuta est*. The Tortoise is safe within her shell: But if she put forth any part of her Body, then it endangereth not only the part is so put forth, but all the rest. And so we see in Armour, if any part be left naked, it puts in hazard the whole Person. And in the Natural Body of Man, if there be any weak or affected part, it is enough to draw Rheums or Malign Humours unto it, to the Interruption of the Health of the whole Body.

And for the Particular, the Example is too fresh, that the indisposition of that Kingdom, hath been a continual Attractive of Troubles and Infestations upon this Estate; and though your Majesties Greatness doth in some sort discharge this Fear, yet with your encrease of Power it cannot be, but Envy is likewise encreased.

The fourth and last Consequence is the great Profit and Strength which is like to redound to your Crown, by the working upon this unpolished Part thereof: Whereof, your Majesty, (being in the strength

of your years) are like, by the good pleasure of *Almighty God*, to receive more then the First Fruits; And your *Posterity* a growing and springing Vein of Riches and Power. For this *Island* being another *Britain*; As *Britain* was said to be another *World*; is endowed with so many *Dowries* of Nature, (considering the *Fruitfulness* of the Soil, the *Ports*, the *Rivers*, the *Fishings*, the *Quarries*, the *Woods*, and other *Materials*; And specially the *Race* and *Generation* of *Men*, valiant, hard, and active) As it is not easie, no not upon the *Continent*, to find such Confluence of Commodities, if the Hand of *Min* did joyn with the Hand of Nature. So then for the *Excellency* of the work, in the point of *Honour*, *Policy*, *Safety*, and *Utility*, here I cease. For the Means to effect this Work; I know your *Majesty* shall not want the Information of Persons expert and industrious, which have served you there, and know the *Region*: Nor the Advise of a Grave and Prudent *Counsel* here; which know the Pulses of the Hearts of People, and the ways and Passages of conducting great Actions: Besides that, which is above all; that *Fountain* of Wisdom and Universality which is in your self: yet notwithstanding in a thing of so publick a Nature, it is not amiss for your *Majesty* to hear variety of Opinion. For as *Demosthenes* saith well; *The good Fortune, of a Prince, or State, doth sometimes put a good Motion into a Fools Mouth*. I do think therefore the Means of accomplishing this Work consisteth of two principal Parts. The first, the *Invitation* and *Encouragement* of Undertakers: The second, the *Order* and *Policy* of the *Project* it self. For as in all *Engines* of the *Hand*, there is somewhat that giveth the Motion and Force, and the rest serveth to guide and govern the same: So is it in these *Enterprises*, or *Engines* of Estate. As for the former of these, there is no doubt, but next unto the *Providence* and *Finger* of *God*, which writeth these Vertuous and Excellent Desires in the Tables of your *Majesties* Heart, your *Authority* and your *Affection*, is *Primus Motor*, in this Cause: And therefore the more strongly, and fully your *Majesty* shall declare your self in it, the more shall you quicken and animate the whole proceeding. For this is an *Action*, which as the worthiness of it doth bear it, so the Nature of it requireth it, to be carried in some *Height* of *Reputation*; And fit in mine Opinion, for *Tulpits*, and *Parliaments*, and all places to ring and resound of it. For that, which may seem Vanity in some Things; (I mean, *Matter of Fame*) is of great efficacy in this Case.

But now let me descend to the inferiour *sphears*, and speak what Cooperation in the Subjects, or Undertakers may be raised and kindled, and by what *Means*. Therefore to take plain Grounds which are the surest; All *Men* are drawn into *Actions* by three Things, *Pleasure*, *Honour*, *Profit*. But before I pursue the three *Motives*, it is fit in this place to enterlace a word or two of the *Quality* of the *Undertakers*; wherein my Opinion simply is, that if your *Majesty* shall make these *Portions* of *Land*, which are to be Planted, as Rewards, or as Suits, or as Fortunes for those that are in want; And are likest to seek after them; That they will not be able to go through with the Charge of good substantial *Plantations*; But will *Deficere in Opere medio*; And then this *Work* will succeed, as *Tacitus* saith; *Acribus initiis, Fine incurioso*. So that this must rather be an *Adventure* for such as are full, then a *setting up* of those that are low of Means; For those Men are fit indeed to perform these *Undertakings*; Which were fit to purchase dry Rever-

Considerations touching the Plantations in Ireland.

Considerations touching the Plantations in Ireland.

sons after *Lives* or *Years*; Or such as were fit to put out *Money* upon long *Returns*.

I do not say, but that I think the *Undertakers* themselves will be glad to have some *Captains*, or *Men* of *Service* intermixed among them for their safety; But I speak of the Generality of *Undertakers*, which I wish were *Men* of *Estate* and *Plenty*.

Now therefore, it followeth well to speak of the aforefaid three *Motives*; For it will appear the more, how necessary it is to allure by all means *Undertakers*; Since those *Men* will be least fit which are like to be most in Appetite of themselves; And those most fit, which are like least to desire it.

First therefore, for *Pleasure* in this *Region* or *Tract* of *Soyl*, there is no *Warm Winters*, nor *Orange Trees*, nor strange *Beasts*, or *Birds*, or other Points of *Curiosity* or *Pleasure*, as there are in the *Indies* and the like; So as there can be found no Foundation, made upon matter of *Pleasure*, otherwise, then that the very desire of *Nozelty* and *Experiment* in some stirring *Natures*, may work somewhat; And therefore it is the other two Points of *Honour* and *Profit*, whereupon we are wholly to rest.

For *Honour* or *Countenance*, if I shall mention to your *Majesty*, whether in wisdom you shall think convenient, the better to express your Affection to the *Enterprise*, and for a Pledge thereof, to add the *Earldom* of *Ulster* to the *Princes Titles*; I shall but learn it out of the practise of *King Edward* the First, who first used the like course, as a mean, the better to restrain the *Countrie* of *Wales*: And I take it, the *Prince* of *Spain* hath the Addition of a *Province* in the *Kingdom* of *Naples*; And other *Presidents* I think there are, and it is like to put more life and encouragement into the *Undertakers*.

Also considering the large *Territories* which are to be Planted, it is not unlike your *Majesty* will think of raising some *Nobility* there; which if it be done meerly upon new *Titles* of *Dignity*, having no manner of Reference to the Old; And if it be done also, without putting too many *Portions* into one *Hand*; And lastly, if it be done without any great *Franchises* or *Commands*; I do not see any Peril can ensue thereof: As on the other side, it may draw some *Persons* of great *Estate* and *Means* into the *Action*, to the great Furtherance and Supply of the charges thereof.

And lastly for *Knighthood*, to such *Persons* as have not attained it; Or otherwise, *Knighthood* with some new Difference and Precedence; It may no doubt work with many. And if any Man think that these things which I propound, are *Aliquid nimis*, for the Proportion of this *Action*; I confess plainly, that if your *Majesty* will have it really and effectually performed; My Opinion is, you cannot bestow too much *Sunshine* upon it. For *Lune Radiis non maturefcit Botrus*. Thus much for *Honour*.

For *Profit*, it will consist in Three parts.

First, the *Ease Rates* that your *Majesty* shall be pleased to give the *Undertakers* of the *Land*, they shall receive.

Secondly, the *Liberties* which you may be pleased to confer upon them. When I speak of *Liberties*, I mean not *Liberties* of *Jurisdiction* As *Counties Palatine* or the like; (which it seemeth hath been the Error of the ancient *Donations* and *Plantations* in that *Countrie*;) But I mean only *Liberties* tending to *Commodity*: As *Liberty* to transport any of

of the *Commodities* growing upon the *Country*, new *Planted*; *Liberty* to *Import* from hence all things appertaining to their necessary use, *Custom-free*; *Liberty* to take *Timber* or other *Materials* in your *Majesties Woods*, there, and the like.

The third is, *Ease of Charge*; That the whole *Mass* of *Charge* doth not rest upon the private *Purse* of the *Undertakers*.

For the two former of these, I will pass them over; because in that *Project*, which with good diligence and providence hath been presented to your *Majesty* by your *Ministers* of that *Kingdome*; they are in my *Opinion* well handled.

For the third I will never despair, but that the *Parliament* of *England*, if it may perceive, that this *Action* is not a *Flash*, but a *solid* and *settled* *pursuit*, will give *Aid* to a *Work* so *Religious*, so *Politick*, and so *Profitable*. And the distribution of *Charge*, (if it be observed,) falleth naturally into three *Kindes* of *Charge*, and every of those *Charges* respectively ought to have his proper *Fountain* and *Issue*. For as there proceedeth from your *Majesties Royal Bounty* and *Munificence*, the *Gift* of the *Land*, and the other *Materials*, together with the *Endowment* of *Liberties*; And as the *Charge* which is *Private*; As *Building* of *Houses*, *Stocking* of *Grounds*, *Viſtual* and the like, is to rest upon the *particular Undertakers*; So whatsoever is *Publick*; As *Building* of *Churches*, *Walling* of *Towns*, *Town-Houses*, *Bridges*, *Cawſies*, or *High-ways*, and the like, ought not so properly to lye upon *particular Persons*, but to come from the *Publick Estate* of this *Kingdom*; To which this *Work* is like to return so great an *Addition* of *Glory*, *ſtrength*, and *Commodity*.

For the *Project* it self, I shall need to speak the less, in regard it is so considerably digested already, for the *County* of *Tyrone*; And therefore my *Labour* shall be but in those things wherein I shall either *Add* to, or *Dissent* from that which is set down; Which will include *Five Points* or *Articles*. First, they mention a *Commission* for this *Plantation*, which of all things is most necessary, both to *Direct*, and *Appease* *Controversies*, and the like.

To this I add two *Propositions*. The one, that which perhaps is meant though not exprested, That the *Commissioners* should for certain times reside, and abide in some *Habitable Town* of *Ireland*, near in distance to the *Country* where the *Plantation* shall be; To the end; Both that they may be more at *Hand*, for the *Execution* of the *Parts* of their *Commission*; And withal, it is like by drawing *Concourse* of *People* and *Trades-Men*, to such *Towns*, it will be some *Help*, and *Commodity* to the *Undertakers* for things they shall stand in need of. And likewise, it will be a more safe place of *Receit* and *Store*, wherein to *Unlade* and *Deposite* such *Provisions* as are after to be employed.

The Second is, that your *Majesty* would make a *Correspondency* between the *Commission* there, and a *Council* of *Plantation* here. Wherein I warrant my self, by the *President* of the like *Council* of *Plantation* for *Virginia*; An enterprise in my *Opinion* differing as much from this, as *Amadis de Gaule* differs from *Cæsars Commentaries*. But when I speak of a *Council* of *Plantation*, I mean some *Persons* chosen by way of *Reference*; Upon whom the *Labour* may rest; To prepare and report things to the *Council* of *Estate* here, that concern that *Business*. For although your *Majesty* have a grave and sufficient *Council* in *Ireland*; From whom, and upon whom, the *Commissioners* are to have *Assistance* and *Dependance*;

Considerations touching the Plantations in Ireland.

Considerations
touching
the Plantation
on the Ire-
land.

yet that supplies not the purpose whereof I speak. For considering, that upon the *Advertisements* as well of the *Commissioners*, as of the *Council* of Ireland itself; There will be many Occasions to crave directions from your Majesty, and your *Privy Council* here, which are busied with a world of Affairs; It cannot but give greater *Expedition*, and some better *Perfection* unto some *Directions* and *Resolutions*, if the *Matters* may be considered of afore hand, by such, as may have a continuall Care, of the Cause. And it will be, likewise a *Comfort*, and *Satisfaction* to some *Principal Undertakers*, if they may be admitted of that *Council*.

Secondly, there is a *Clause* wherein the *Undertakers* are restrained, that they shall execute the *Plantation* in *Person*; from which I must dissent, if I well consent with the *Grounds* I have already taken. For it is not probable that Men of great *Means* and plentiful *Estates* will indure the *Travail*, *Diseasments*, and *Adventures* of going thither in *Person*; But rather I suppose, many will undertake *Portions* as an *Advancement* for their younger *Children* or *Kinsfolks*; Or for the sweetness of the *Expectation* of a great *Bargain* in the end, when it is overcome. And therefore, it is like they will employ *Sons*, *Kinsfolks*, *Servants*, or *Tenants*, and yet be glad to have the *Estate* in themselves. And it may be some again will joyn their *Purses* together, and make as it were a *Partner-ship* or *Joint-Adventure*; And yet man forth some one *Person*, by consent, for the Executing of the *Plantation*.

Thirdly, there is a *Main point*, wherein I fear the *Project* made, hath too much of the *Line and Compass*, and will not be so natural and easie to Execute, nor yet so Politick and Convenient: And that is, that the *Buildings* should be *sparsim*, upon every *Portion*; And the *Castle* or *Principal House*, should draw the *Tenements* and *Farmes* about it, as it were into *Villages*, *Hamlets*, or *Endships*; And that there should be only Four *Corporate Towns* for the *Artificers* and *Trades-men*.

My Opinion is, that the Building be altogether in *Towns*, to be compounded as well of *Husbandries* as of *Arts*. My Reasons are.

First, when Men come into a *Country*, *Vast*, and Void of all Things necessary for the use of *Mans Life*; If they set up together in a Place, one of them will the better supply the wants of the other. *Work-Folkes* of all sorts will be the more continually on work without loss of time; When, if Work fail in one place, they may have it fast by: The *Wages* will be made more passible for carriages to those *Seats* or *Towns*, then they can be to a number of dispersed Solitary places; And infinite other helps and casements scarcely to be comprehended in Cogitation, will ensue in *Vicinity* and *Society* of *People*; Whereas, if they build scattered, (as is projected,) every man must have a *Cornu-Copia* in himself for all things he must use; Which cannot but breed much *Difficulty*, and no less *Waste*.

Secondly, it will draw out of the *Inhabited Country* of Ireland, *Provisions*, and *Viſuals*, and many necessities, because they shall be sure of *Utterances*; whereas in the dispersed *Habitations*, every Man must reckon only upon that that he brings with him; as they do in *Provisions* of *Ships*.

Thirdly, the Charge of *Barnes*, as they call them, to be made about every *Castle* or *House* may be spared, when the *Habitations* shall be congregated only into *Towns*.

And lastly, it will be a means to secure the *Country* against future *Perrils*, in case of any *Revolt* and *Defection*. For by a slight *Fortification* of

no great charge, the danger of any Attempts of Kierns and Sword-men may be prevented, The Omission of which point, in the last Plantation of Munster, made the work of years to be but the spoil of dayes. And if any man think it will draw people to far off from the Grounds they are to labour; It is to be understood, that the number of the Towns be encreased accordingly, And likewise, the Situation of them be as in the Center, in respect of the Portions assigned to them. For in the Champian Countries of England, where the Habitation useth to be in Towns, and not dispersed, it is no new thing to go two Miles off to plow part of their Grounds: And two Miles compass will take up a good deal of Country.

The fourth Point, is a Point wherein I shall differ from the Project, rather in Quantity and Proportion then in Matter. There is allowed to the undertaker, within the five years of Restraint, to alien a third part in Fee Farm, and to demise another for forty years, which I fear will mangle the Portions, and will be but a shift to make many of two parts: Whereas I am of Opinion, the more the first undertaker is forced to keep in his own hands, the more the work is like to prosper. For first, the Person liable to the State here to perform the Plantation, is the Immediate Undertaker. Secondly, the more his profit dependeth upon the Annual and Springing Commodity, the more sweetnefs he will find in putting forward Manurance and Husbanding of the Grounds; And therefore is like to take more care of it. Thirdly, since the Natives are excluded, I do not see that any persons are like to be drawn over, of that Condition, as are like to give Fines, and undertake the charge of Building: For I am perswaded that the people transported will consist of Gentlemen and their Servants; And of Labourers and Hindes, and not of Yeomen, of any wealth; And therefore the Charge of Building, as well of the Tenements and Farmes as of the Capital Houses, themselves, is like to rest upon the Principal Undertakers, which will be recompenced in the end to the full, and with much advantage, if they make no long Estates or Leases.

And therefore this Article to receive some Qualification.

Fifthly, I should think it requisite that Men of Experience in that Kingdome, should enter into some particular Consideration, of the Charges and Provisions of all kinds that will be incident to the Plantation; To the end, that thereupon some advise may be taken for the Furnishing and Accommodating them most conveniently, Aiding private Industry with publick Care and Order.

Thus I have expressed to your Majesty those simple and weak Cogitations, which I have had in my self touching this Cause; Wherein I most humbly desire your pardon, and gracious acceptance of my good Affection and Intention. For I hold it for a Rule, that there belongeth to great Monarchs, from Faithful Servants, not only the Tribute of Duty, but the Oblations of cheerfulness of Heart. And so I pray the Almighty to bless this great Action, with your Majesties Care; and your Care with Happy Success.

Considerations touching the Plantations in Ireland.



ADVICE
TO THE
KING,
TOUCHING
Mr. Suttons
ESTATE.

May it please your MAJESTY,

I Find it a Positive precept of the *Old Law*; That there should be no Sacrifice without Salt. The Moral whereof (besides the Ceremony) may be; That God is not pleased with the Body of a good Intention; Except it be seasoned with that *Spiritual Wisdom* and Judgment, as it be not easily subject to be corrupted and perverted. For salt, in the *Scripture*, is a Figure both of *Wisdom* and *Lasting*. This cometh into my Mind, upon this Act of Mr. Sutton; which seemeth to me as a *Sacrifice without Salt*; having the *Materials* of a good Intention, but not powdered with any such Ordinances and Institutions, as may preserve the same from turning *Corrupt*; Or, at least from becoming *Unsavory*, and of little Use. For though the Choice of the *Feoffees* be of the best; yet neither can they always live; And the very Nature of the Work it self, in the vast and unfit Proportions thereof, being apt to provoke a Mis-employment; It is no Diligence of theirs, (except there be a Digression from that Model) that can excuse it from running the same way, that *Gifts* of like Condition have heretofore done. For to design the *Charter-house*, a Building fit for a *Princes Habitation*, for an *Hospital*; is all one, as if one should give in Alms, a Rich Embroidered Cloak to a Beggar. And certainly a Man may see, *Tantum quæ Oculis Cernuntur*, that if such an Edifice, with six thousand pounds

pounds Revenue, be erected into one *Hospital*; it will in small time degenerate, to be made a preferment of some great *Person* to be *Master*, and he to take all the sweet, and the Poor to be stinted, and take but the *Crumbs*: As it comes to pass in divers *Hospitals* of this *Realm*; which have but the Names of *Hospitals*, and are but wealthy *Benefices*, in respect of the *Mastership*; But the *Poor*, which is the *Propter quid*, little relieved. And the like hath been the Fortune of much of the *Alms* of the *Roman Religion* in the *Great Foundations*; which being begun in Vain-Glory and Ostentation, have had their Judgment upon them, to end in Corruption and Abuse. This *Meditation* hath made me presume to write these few Lines to your *Majesty*; Being no better then good Wishes, which your *Majesties* great *Wisdom* may make some thing, or nothing of.

Wherein I desire to be thus understood; that if this *Foundation* (such as it is) be perfect and good in *Law*; Then I am too well acquainted with your *Majesties* Disposition, to advise any course of power or profit that is not grounded upon a Right: Nay further, if the *Defects* be such, as a *Court of Equity* may Remedy and Cure; Then I wish that as Saint *Peters* shadow did cure *Diseases*; So the very shadow of a Good Intention may cure *Defects* of that Nature. But if there be a Right, and Birth-right planted in the *Heir*; and not Remediabable by *Courts of Equity*; and that right be submitted to your *Majesty*; whereby it is both in your power and Grace what to do; Then do I wish that this rude *Mass* and *Chaos* of a Good Deed, were directed rather to a *Solid Merit*, and *Durable Charity*, then to a *Blaze of Glory* that will but crackle a little in Talk, and quickly extinguish.

And this may be done observing the *Species* of Mr. *Suttons* intent, though varying in *Individuo*. For it appears that he had in Notion a Triple Good: An *Hospital*; And a *School*; And *Maintaining* of a *Preacher*; Which *Individuals* refer to these Three General Heads. *Relief of Poor*; *Advancement of Learning*; And *Propagation of Religion*. Now then, if I shall set before your *Majesty*, in every of these Three Kinds what it is that is most wanting in your *Kingdom*; and what is like to be the most Fruitful and Effectual use of such a *Beneficence*, and least like to be perverted: That I think shall be no ill Scope of my Labour, how meanly soever performed; For out of *Variety* represented, *Election* may be best grounded.

Concerning the Relief of the *Poor*; I hold some Number of *Hospitals*, with Competent Endowments, will do far more good then one *Hospital* of an *Exorbitant Greatness*. For though the one Course will be the more *Seen*, yet the other will be the more *Felt*. For if your *Majesty* erect many, besides the observing the *Ordinary Maxim*; *Bonum, quo communius, eo melius*, choice may be made of those *Towns* and *Places*, where there is most Need; And so the Remedy may be *Distributed*, as the *Disease* is *Dispersed*. Again, *Greatness* of *Relief* accumulate in one place, doth rather invite a Swarm and Surcharge of *Poor*, then relieve those that are naturally bred in that place: Like to ill tempred *Medicines*, that draw more Humour to the Part, then they Evacuate from it. But chiefly I relye upon the Reason that I touched in the Beginning; That in these great *Hospitals*, the *Revenues* will draw the *Use*, and not the *Use*, the *Revenues*; And so through the *Mass* of the *Wealth*, they will swiftly tumble down to a *Mis-employment*. And if any *Man* say, that in the

Two

Advice to
the King
touching
Mr. Suttons
Estate.

Advice to
the King
in His
High
Majesties
Estate.

Two Hospitals in London, there is a President of Greatness concurring with good Employment; Let him consider that those Hospitals have Annual Governours; That they are under the Superiour Care and Policy of such a State, as the City of London; And chiefly, that their Revenues consist not upon Certainties, but upon Casualties and Free gifts; Which Gifts would be with-held, if they appeared once to be perverted: So as it keepeth them in a continual good Behaviour and Awe, to employ them aright: None of which Points do match with the present Case.

The next consideration may be, whether this intended Hospital, as it hath a more ample Endowment then other Hospitals have, should not likewise work upon a better Subject then other Poor: As that it should be converted to the Relief of Maimed Souldiers, Decayed Merchants, Householders Aged, and Destitute Church-men, and the like; Whose Condition being of a better sort then loose People and Beggars, deserveth both a more Liberal Stipend and Allowance, and some proper place of Relief, not intermingled or coupled with the Basest sort of Poor: which Project, though Specious, yet in my Judgment, will not answer the Designment in the Event in these our Times. For certainly, few Men in any Vocation, which have been some Body, and bear a Mind somewhat according to the Conscience and Remembrance of that they have been, will ever descend to that Condition, as to profess to live upon Alms, and to become a Corporation of declared Beggars; But rather will chuse to live Obscurely, and as it were to hide themselves with some private Friends: So that the end of such an Institution will be, that it will make the place a Receptacle of the Worst, Idlest, and most dissolute Persons of every Profession; And to become a Cell of Loyerers, and Cast Serving-men, and Drunkards, with Scandal rather then Fruit to the Commonwealth. And of this kind I can find but one Example with us; Which is, the Alms Knights of Windsor; Which particular would give a Man small encouragement to follow that President.

Therefore the best effect of Hospitals is, to make the Kingdom, if it were possible, capable of that Law; That there be no Beggar in Israel. For it is that kind of People that is a burthen, an Eye-sore, a Scandal, and a Seed of Peril and Tumult in the State. But chiefly it were to be wished, that such a Beneficence towards the relief of the Poor were so bestowed; As not only the Meer and Naked Poor should be sustained; But also, that the Honest person which hath hard means to live, upon whom the Poor are now charged, should be in some sort eased. For that were a Work generally acceptable to the Kingdom, if the Publick Hand of Alms might spare the Private Hand of Tax. And therefore of all other Employments of that kind, I commend most Houses of Relief and Correction; which are Mixt Hospitals where the Impotent Person is relieved, and the Sturdy Beggar buckled to work; And the unable Person also not maintained to be Idle (which is ever joyned with Drunkenness and Impurity) But is sorted with such work as he can manage and perform; And where the uses are not distinguished, as in other Hospitals; Whereof some are for Aged and Impotent; and some for Children; And some for Correction of Vagabonds; But are general and promiscuous. So that they may take off Poor of every sort from the Country, as the Country breeds them. And thus the Poor themselves shall find the Provision, and other People the sweetness of the Abatement of the Tax. Now if it be objected, that Houses of Correction in all places have not done

done the good expected; (as it cannot be denied, but in most places they have done much good;) It must be remembered that there is a great Difference between that which is done by the Distracted Government of *Justices of Peace*; And that which may be done by a settled *Ordinance*, subject to a *Regular Visitation*, as this may be; And besides, the Want hath been commonly in *Houses of Correction*, of a competent and certain *stock*, for the *Materials* of the labour, which in this case may be likewise supplied.

Concerning the *Advancement of Learning*, I do subscribe to the Opinion of one of the *Wise*, and *Greatest Men* of your *Kingdom*. That for *Grammar Schools*, there are already too many; and therefore no Providence to add where there is Excess. For the great Number of *Schools* which are in your *Highness Realm*, doth cause a *Want*, and cause likewise an *Overflow*; Both of them Inconvenient, and one of them Dangerous. For by means thereof they find *Want* in the *Countrey* and *Towns*, both of *Servants* for *Husbandry*, and *Apprentices* for *Trade*; And on the other side, there being more *Schollars* bred, then the *State* can prefer and employ; And the *Active* part of that life not bearing a proportion to the *Preparative*; It must needs fall out, that many Persons will be bred unfit for other *Vocations*; And unprofitable for that in which they are brought up; Which fills the *Realm* full of *Indigent*, *Idle*, and *Wanton* People, which are but *Materia Rerum novarum*.

Therefore, in this Point, I wish *Mr. Suttons Intention* were exalted a Degree; That that which he meant for Teachers of *Children*, your *Majesty* should make for Teachers of *Men*; wherein it hath been my ancient Opinion and Observation; That in the *Universities* of this *Realm*, (which I take to be of the best endowed *Universities* of *Europe*) there is nothing more wanting towards the flourishing *State* of *Learning*, then the Honourable and plentiful *Salaries* of *Readers* in *Arts* and *Professions*. In which Point, as your *Majesties* Bounty already hath made a Beginning; So this occasion is offered of *God* to make a Proceeding. Surely *Readers* in the *Chair*, are as the *Parents* in *Sciences*, and deserve to enjoy a Condition not inferiour to their *Children* that embrace the *Practical* Part. Else no Man will sit longer in the *Chair*, then till he can walk to a better preferment: And it will come to pass as *Virgil* saith,

Et Patrum invalidi referent Jevunia Nati.

For if the Principal *Readers*, through the Meanness of their Entertainment, be but Men of superficial *Learning*; And that they shall take their place but in passage; it will make the *Mass* of *Sciences* want the chief and solid Dimension, which is *Depth*; and to become but Pretty and compendious *Habits* of Practice. Therefore I could wish that in both the *Universities*, the *Lectures*, as well of the three *Professions*, *Divinity*, *Law*, *Physick*; As of the three *Heads* of *Science*, *Philosophy*, *Arts* of *Speech*, and the *Mathematicks*, were raised in their Pensions unto a 100 *l.* per Annum a piece; Which though it be not near so great, as they are in some other Places, where the Greatness of the Reward doth whistle for the Ablest Men out of all *Foreign parts* to supply the *Chair*; yet it may be a Portion to content a *Worthy* and *Able* Man; if he be likewise *Contemplative* in Nature; as those *Spirits* are, that are Fittest for *Lectures*. Thus may *Learning*, in your *Kingdom*, be advanced to a further

Advice to
the King
touching
Mr. Suttons
Estate.

Advice to
the King
touching
Mr. Suttons
Estate.

ther Height; Learning (I say) which under your Majesty, the most Learned of Kings, may claim some Degree of Elevation.

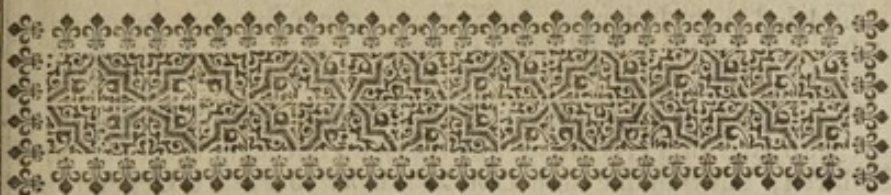
Concerning Propagation of Religion, I shall in few words set before your Majesty three Propositions; None of them Devices of mine own, otherwise then that I ever approved them: Two of which have been in Agitation of Speech, and the Third acted.

The first is, a Colledge for Controversies; Whereby we shall not still proceed Single, but shall, as it were double our Files; Which certainly will be found in the Encounter.

The second is, a Receipt, (I like not the word *Seminary*, in respect of the Vain Vows, and implicate Obedience, and other Things tending to the perturbation of States, involved in that Term;) for Converts to the Reformed Religion, either of Youth or otherwise; For I doubt not but there are in Spain, Italy, and other Countries of the Papists, many whose Hearts are touched with a sense of those Corruptions, and an acknowledgment of a better Way; which Grace is many times smothered and choaked, through a worldly Consideration of Necessity and want; Men not knowing where to have Succour and Refuge. This, likewise, I hold a Work of great Piety, and a Work of great Consequence; That we also may be Wise in our Generation; And that the Watchful and Silent Night may be used, as well for sowing of good Seed, as of Tares.

The third is, the Imitation of a Memorable and Religious Act of Queen Elizabeth; who finding a part of Lancashire to be extremely Backward in Religion; and the Benefices swallowed up in Improvements, did by Decree in the Dutchy, erect four stipends of 100 l. per Annum a piece, for Preachers, well chosen to help the Harvest; which have done a great deal of Good in the Parts where they have laboured. Neither do there want other Corners in the Realm, that would require for a time the like Extraordinary Help.

Thus have I briefly delivered unto your Majesty mine Opinion, touching the Employment of this Charity: whereby that Mass of wealth, which was in the Owner, little better then a Stack or Heap of Muck, may be spread over your Kingdom to many fruitful purposes; your Majesty planting and watering, and God giving the Increase.



A
PROPOSITION,
 TO
His Majesty.

BY
 Sir *FRANCIS BACON*, Knight.

HIS
MAJESTIES
ATTURNEY GENERAL;

AND

One of His *Privy Council*; Touching the *Compiling* and
Amendment of the *LAWS* of *ENGLAND*.

YOUR MAJESTY,

OF Your Favour having made me *Privy Counsellor*; And continuing me in the place of your *Attorney General*, (which is more then was these hundred years before,) I do not understand it to be, that by putting off the dealing in Causes between party and party, I should keep Holy-day the more: But that I should dedicate my time to your Service, with less distraction. Wherefore in this plentiful Accession of time which I have now gained, I take it to be my duty; Not only to speed your *Commandments* and the *Business* of my place, But to meditate, and to excogitate of my self, wherein I may best by my Travels, derive your *Vertues* to the good of your People, and return their Thanks and Increase

*A Proposition
on touching
the Compiling and A-
mendment of
the Laws of
England.*

crease of Loveto you again. And after I had thought of many things, I could find in my Judgment, none more proper for your *Majesty* as a Master, nor for me as a Workman, then the *Reducing and Recompiling* of the *Laws of England*.

Your *Majesty* is a King blessed with *Posterity*; And these *Kings* fort best with Acts of Perpetuity, when they do not leave them instead of Children, but transmit both *Line* and *Merit* to Future Generations. You are a great *Master* in *Justice* and *Judicature*, and it were pitty that the fruit of that Vertue should dye with you. Your *Majesty* also Raig-eth in Learned Times; The more in regard of your own perfections and patronage of Learning; And it hath been the mishap of *Works* of this *Nature*, that the less Learned Time hath wrought upon the more Learned; which now will not be so. As for my self the Law is my pro- fession, to which I am a debtor. Some little helps I may have of o- ther Learning, which may give Form to matter; And your *Majesty* hath set me in an eminent place, whereby in a *Work*, which must be the *Work* of many, I may the better have *Coadjutors*. Therefore not to hold your *Majesty* with any long preface in that, which I conceive to be nothing less then Words; I will proceed to the Matter, which matter it self, nevertheless requireth somewhat briefly to be said, both of the Dignity, and likewise of the Safety and Convenience of this *Work*; And then to go to the main; That is to say, to shew how the *Work* is to be done: Which incidently also will best demonstrate, that it is no vast nor specu- lative thing, but a real and feizable. *Calisthenes* that followed *Alexanders Court*, and was grown in some displeasure with him; Because he could not well brook the *Persian Adoration*; At a Supper, (which with the *Gracians*, was ever, a great part, *Talk*;) was desired, because he was an *Eloquent Man*, to speak of some *Theam*; which he did, and chose for his *Theam*, The praise of the *Macedonian Nation*; which though it were but a filling thing to praise men to their Faces, yet he did it with such advantage of truth, and avoydance of Flattery, and with such life; As the Hearers were so ravished with it, that they plucked the *Roses* off from their *Garlands*, and threw them upon him, as the manner of Ap- plauses then was: *Alexander* was not pleased with it, and by way of Discountenance said, *It was easie to be a good Oratour in a pleasing Theam. But* (saith he to *Calisthenes*) *turn your stile, and tell us now of our Faults, that we may have the profit, and not you only the praise.* Which he pre- sently did with such a force, and so piquantly, that *Alexander* said, *The goodness of his Theam had made him Eloquent before: But now it was the Malice of his heart that had inspired him.*

1. Sir, I shall not fall into either of these two *Extremes*, Concern- ing the *Laws of England*: They commend themselves, best to them that understand them; And your *Majesties Chief Justice* of your *Bench*, hath in his writings magnified them not without cause: Certainly they are Wise, they are Just, and Moderate *Laws*; They give to God, They give to *Cesar*, They give to the *Subjects*, that which appertaineth. It is true, They are as mixt as our *Language*, compounded of *Brittish, Roman, Saxon, Danish, Norman*, Customs. And as our *Language* is so much the richer, so the *Laws* are the more compleat; Neither doth this attribute less to them, then those that would have them, to have stood out the same, in all *Mutations*; For no *Tree* is so good first set, as by *Transplanting*.

2. As for the second *Extream*, I have nothing to do with it, by way of *Taxing the Laws*. I speak only by way of *Perfitting* them, which is easiest in the best things; For that which is far amiss, hardly receiveth amendment, but that which hath already; To that, more may be *Given*. Besides, what I shall propound, is not to the *Matter* of the *Laws*, but to the *Manner* of their *Regestry*, *Expression*, and *Tradition*: So that it giveth them rather *Light*, than any new *Nature*. This being so, for the *Dignity* of the *Work*, I know scarcely where to find the like; For surely that *Scale*, and those *Degrees* of *Sovereign Honour* are true, and rightly marshalled. First, the *Founders* of *Estates*, Then the *Law-givers*, Then the *Deliverers* and *Saviours*, after long *Calamities*; Then the *Fathers* of their *Countries*, which are *Just* and *Prudent Princes*; And lastly *Conquerors*, which *Honour*, is not to be received amongst the rest; except it be where there is an addition of more *Country* and *Territory* to a better *Government*, then that was of the *Conquered*. Of these in my *Judgment*, your *Majesty* may with more truth then flattery, be intituled to the first; because of your *Uniting* of *Britain*, and *Planting* *Ireland*, both which favour of the *Founder*. That which I now propound to you, may adopt you also into the second: *Law-givers* have been called *Principes Perpetui*, because as *Bishop Gardner* said in a bad Sense, that he would be *Bishop* an hundred years after his death, in respect of the long *Leases* he made: So *Law-givers*, are still *Kings* and *Rulers* after their *Decease* in their *Laws*. But this *Work* shining so in it self, needs no *Taper*. For the safety and convenience thereof, it is good to consider, and to answer those *Objections* or *Scruples* which may arise, or be made against this *Work*.

Obj. 1. That it is a thing needless, And that the *Laws* as it now is, is in good *Estate*, comparable to any *Foreign Law*; And that it is not possible for the wit of *Man*, in respect of the frailty thereof, to provide against the *Uncertainties*, and *Evasions*, or *Omissions* of *Law*.

Resp. For the *Comparison* with *Foreign Laws*, it is in vain to speak of it, for men will never agree about it. Our *Lawyers* will maintain, for our *Municipal Laws*; *Civilians*, *Schollars*, *Travellers*, will be of the other *Opinion*.

But Certain it is, that our *Laws* as they now stand, are subject to great *Uncertainties*, and variety of *Opinion*, *Delays*, and *Evasions*; Whereof ensueth.

1. That the *Multiplicity* and length of *Suites* is great.
2. That the *Contentious Person* is armed, and the *Honest Subject* Wearied, and Oppressed.
3. That the *Judge* is more *Absolute*, Who in doubtful Cases hath a greater stroke and liberty.
4. That the *Chancery Courts* are more filled, the remedy of *Law*, being often obscure and doubtful.
5. That the ignorant *Lawyer* shrowdeth his *Ignorance* of *Law*, in that doubts are so frequent and many.
6. That mens *Assurances* of their *Lands*, and *Estates*, by *Patents*, *Deeds*, *Wills*, are often subject to question, and hollow; And many the like *Inconveniencies*.

It is a good Rule and Direction, (For that all *Laws*, *Secundum Majis & Minus*, do participate of *Uncertainties*.) That followeth: Mark

A Proposition touching the Compiling and Amendment of the Laws of England.

A Proposition
touching
the Compiling
and Amend-
ment of
the Laws of
England.

whether the Doubts that arise, are only in Cases of Ordinary Experience, or, which happen not every day? If in the first, only impute it to frailty of Mans foresight, that cannot reach by Law to all Cases; But if in the Latter; be assured there is a fault in the Law. Of this I say no more but that (To give every Man his Due) had it not been for Sir Edward Cooks Reports (which though they may have Errors, and some peremptory and Extrajudicial Resolutions, more then are warranted: Yet they contain infinite good Decisions and Rulings over, of Cases.)

The Law by this Time, had been almost like a Ship without ballast; For that the Cases of Modern Experience are fled from those that are adjudged and ruled in Former time. But the Necessity of this Work is yet greater in the Statute Law. For first, There are a number of Ensuring Penal Laws which lay upon the Subject; And if in bad times they should be awaked and put in Execution, would grind them to powder.

There is a learned Civilian, that expoundeth the Curse of the Prophet: *Pluet super eos Laqueos*, of Multitude of Penal Laws: which are worse then showers of Hail, or Tempest upon Cattel; for they fall upon Men.

There are some Penal Laws fit to be retained, but their Penalty too great, and it is ever a Rule, that any over great Penalty (besides the Acerbity of it) deadens the Execution of the Law.

There is a further Inconvenience of Penal Laws, Obsolete, and out of Use; For that it brings a Gangreen, Neglect, and Habite Disobedience upon other wholsom Laws, that are fit to be continued in Practice and Execution: So that our Laws endure the Torment of *Mezentius*.

The living die in the Arms of the Dead.

Lastly, There is such an Accumulation of Statutes concerning one matter; And they so cross and intricate, as the certainty of Law is lost in the Heap; As your Majesty had Experience last day upon the Point: Whether the Incendiary of New-Market should have the benefit of his Clergie.

Obj. 1. That it is a great Innovation; And Innovations are dangerous beyond foresight.

Resp. All Purgings and Medicines, either in the Civil or Natural Body, are Innovations. So as that Argument is a Common place against all Noble Reforms. But the troth is, that this work ought not to be termed, or held for any Innovation in the suspected sense. For those are the Innovations which are quarrelled and spoken against, that concern the Consciences, Estates, and Fortunes of particular persons: But this of General Ordinance pricketh not particulars, but passeth *sine strepitu*. Besides, it is on the favourable part: For it easeth, it presseth not. And lastly, it is rather matter of Order and Explanation, then of Alteration. Neither is this without President in former Governments.

The Romans by their Decemvirs, did make their Twelve Tables; But that was indeed a new Enacting or Constituting of Laws, not a Registering or Recompiling: And they were made out of the Laws of the Grecians, not out of their own Customs.

In Athens they had *Sexviri*, which were standing Commissioners to watch,

watch, and to discern what *Laws* waxed unproper for the *Time*; And what new *Law* did in any branch cross a former *Law*, and so, *Ex Officio*, propounded their Repeals.

King Lewis, the 11th of *France*, had it in his intention to have made one perfithe and uniform *Law*, out of the *Civil Law Roman*, and the *Provincial Customs of France*.

Justinian the Emperour, by Commissions directed to divers persons, Learned in the *Laws*, reduced the *Roman Laws* from vastness of Volume, and a *Labyrinth* of incertainties, unto that course of the *Civil Law* which is now in use. I find here at home of late years, that *King Henry* the Eighth, in the Twenty Seventh of his *Reign*, was authorized by Parliament, to nominate Thirty two *Commissioners*, part Ecclesiastical, part Temporal, to purge the *Canon Law*, and to make it agreeable to the *Law of God*, and the *Law of the Realm*; and the same was revived in the Fourth year of *Edward* the Sixth, though neither took effect.

For the *Laws of Lycurgus*, *Solon*, *Minos*, and others of ancient time, they are not the worse, because *Grammar Schollars* speak of them. But things too ancient, wax Children with us again.

Edgar the Saxon King, collected the *Laws* of this *Kingdom*, and gave them the strength of a Faggot bound, which formerly were disperfed.

The *Statutes* of *King Edward* the First, were Fundamental; But I doubt I erre in producing so many Examples, For as *Cicero* saith to *Cæsar*, so may I say to your Majesty:

Nil Vulgare te Dignum Videri possit.

Obj. 3. In this purging of the course of *Commons Laws* and *Statutes*, much good may be taken away.

Resp. In all Purging, some good *Humours* may pass away; But that is largely recompensed, by Lightning the Body of much bad.

Obj. 4. Labour were better bestowed in bringing the *Common Laws* of *England*, to a *Text Law*, as the *Statutes* are; and setting both of them down in Method, and by Titles.

Resp. It is too long a Business to debate, whether *Lex Scripta*, *aut non Scripta*, A *Text Law*, or Customs well registred, with received and approved *Grounds* and *Maxims*, and *Acts* and *Resolutions* Judicial, from Time to Time duely entred and reported; Be the better Form of Declaring and Authorizing *Laws*: It was the principal Reason, or Oracle of *Lycurgus*; That none of his *Laws* should be written. Customs, are *Laws* written in *Living Tables*: And some *Traditions* the Church doth not disauthorize. In all Sciences, they are the soundest that keep close to *Particulars*; And sure I am, there are more Doubts that rise upon our *Statutes*, which are a *Text Law*, then upon the *Common Law*, which is no *Text Law*. But howsoever that question be determined, I dare not advise to cast the *Law* into a new Mould. The work, which I propound, tendeth to Proyning and Grafting the *Law*; And not to Plow up and Planting it again; for such a Remove, I should hold indeed for a perillous *Innovation*.

Ob. 5. It will turn the *Judges*, *Counsellors of Law*, and *Students of Law* to School again; And make them to seek what they shall hold and advise for *Law*; And it will impose a new charge upon all

Lawyers

A Proposition
touching
the Compi-
ling and A-
mendment of
the Laws of
England.

A Proposition
on touching
the Compiling
and Amendment
of
the Laws of
England.

Lawyers to furnish themselves with new Books of *Law*.

Resp. For the Former of those, touching the new Labour; It is true it would follow, if the *Law* were new moulded into a *Text Law*; For then Men must be new to begin: And that is one of the Reasons for which I disallow that Course.

But in the way that I shall now propound, the *entire Body*, and Substance of *Law* shall remain; Only discharged of Idle and Unprofitable, or Hurtful Matter: and Illustrated by Order and other Helps, towards the better Understanding of it, and Judgment thereupon.

For the Latter, touching the *new charge*, it is not worth the speaking of in a matter of so high importance; It might have been used of the *New Translation* of the *Bible*, and such like *Works*. *Books* must follow *Sciences*, and not *Sciences Books*.

*The Work it Self; And the Way to Reduce, And Re-
compile the Laws of England.*

THIS Work is to be done (to use some few words, which is the *Language of Action and Effect*) in this manner.

It consisteth of two parts: The *Digest*, or *Recompiling* of the *Common Laws*: And that of the *Statutes*.

In the first of these, Three Things are to be done.

1. The *Compiling* of a *Book*, De *Antiquitatibus Juris*.
2. The *Reducing*, or *Perfecting* of the *Course* or *Corps* of the *Common Laws*.
3. The *Composing* of certain *Introductive* and *Auxiliary Books*, touching the Study of the *Laws*.

For the first of these. All *Ancient Records* in your *Tower*, or else where, Containing *Acts of Parliament*, *Lords Patents*, *Commissions*, and *Judgments*, and the like, are to be Searched, Perused and Weighed. And out of these are to be selected, those that are of most Worth and Weight; And in order of *Time*; not of *Titles*, (for the more *Conformity* with the *Year-Books*) to be set down and Registered; Rarely, in *hec Verba*; but summed with Judgment, not omitting any material part: These are to be used for *Reverend Presidents*, but not for *binding Authorities*.

For the Second, which is the Main; There is to be made a perfect course of the *Law*, in *Serie Temporis*, or *Year-Books* (as we call them) from *Edward the First* to this day; In the *Compiling* of this course of *Law*, or *Year-Books*, the points following are to be observed.

First, All *Cases* which are at this Day clearly no *Law*; but constantly ruled to the contrary, are to be left out; They do but fill the *Volumes*, and season the Wits of *Students* in a contrary sense of *Law*. And so likewise all *Cases*, wherein that is solemnly and long debated, whereof there is now no Question at all, are to be entred, as *Judgments only* and *Resolutions*; But without the *Arguments* which are now become but frivolous: Yet for the Observation of the deeper sort of *Lawyers*, that they may see how the *Law* hath altered, out of which they

they may pick sometimes good use; I do advise, That upon the first in time of those *Obsolete Cases*, there were a *Memorandum* set; That at that time the Law was thus taken untill such a time, &c.

Secondly, *Homonymie* (as *Justinian* calleth them) That is *Cases* meerly of *Iteration* and *Repetition*, are to be purged away; And the *Cases* of *Identity*, which are best *Reported* and *Argued*, to be retained, instead of the Rest; The *Judgments*, nevertheless to be set down, every one in time as they are; But with a *Quotation*, or *Reference* to the *Case* where the *Point* is argued at large; but if the *Case* consist, part of *Repetition*, part of new *Matter*; the *Repetition* is only to be omitted.

Thirdly, As to the *Antinomie*, *Cases* Judged to the contrary; it were too great a trust to refer to the Judgment of the *Composers* of this *Work*, to decide the Law either way; except there be a current stream of Judgments of later times: and then I reckon the contrary *Cases*, amongst *Cases Obsolete*; of which I have spoken before: Nevertheless this diligence would be used, that such *Cases* of *Contradiction* be specially noted and collected; to the end, those *Doubts* that have been so long *Militant*, may either by assembling all the *Judges* in the *Exchequer Chamber*, or by *Parliament* be put into certainty. For to do it by bringing them in question under fained parties, is to be disliked. *Nil habeat Forum ex scienâ.*

Fourthly, All *Idle Queries*, which are but *Seminaries* of *Doubts* and *Incertainties*, are to be left out and omitted, and no *Queries* set down but of great *Doubts*, well debated, and left undecided for difficulty: But no *doubting* or *upstarting Queries*: Which though they be touched in Argument for Explanation; yet were better to die, then to be put into the *Books*.

Lastly, *Cases Reported* with two great prolixity, would be drawn into a more *Compendious Report*; not in the Nature of an *Abridgement*, but *Tautologies* and *Impertinences* to be cut off: As for *Misprinting* and *Insensible Reporting*, which many times confound the *Students* that will be, *Obiter*, amended; But more principally, if there be any thing in the *Report* which is not well warranted by the *Record*, that is also to be rectified; The course being thus compiled, then it resteth, but for your *Majesty* to appoint some grave and sound *Lawyers*, with some honourable stipend, to be *Reporters* for the time to come; and then this is settled for all times.

A Proposition touching the Compiling and Amendment of the Laws of England.

This Constitution of Reporters I obtained of the King, after I was Chancellor, and there are two appointed with a 100l. a year a piece, stipend.

FOR the *Auxiliary Books* that Conduce to the Study and Science of the Law, they are three: *Institutions*, A Treatise, *de Regulis Juris*; And a better Book, *De verborum significationibus*, or *Terms* of the Law. For the *Institutions*, I know well there be *Books* of *Introductions*, (wherewith *Students* begin) of good worth; specially *Littleton*, and *Fitzherbert*; *Natura Brevium*, But they are no ways of the nature of *Institutions*; The Office whereof is to be a *Key*, and general preparation to the *Reading* of the *Course*. And principally it ought to have two Properties; The one a perspicuous and clear *Order*, or *Method*; And the other an *Universal Latitude* or *Comprehension*; That the *Students* may have a little *Præ-Notion* of every thing, like a *Model* to-
wards

A Proposit-
ion touching
the Compil-
ling and A-
mendment of
the Laws of
England.

wards a great *Building*. For the Treatise, *De Regulis Juris*, I hold it of all other things, the most important to the Health (as I may term it) and good *Institutions* of any Laws. It is indeed like the ballast of a Ship, to keep all upright and stable: But I have seen little in this kind, either in our Law, or other Laws that satisfieth me. The *naked Rule* or *Maxime* doth not the Effect. It must be made useful by good *Differences*, *Ampliations*, and *Limitations*, warranted by good Authorities; And this not by raising up of Quotations and References, but by Discourse and Deducement in a *Just Tractate*. In this I have travelled myself, at the first more cursorily; since with more Diligence; and will go on with it, if God and your Majesty will give me leave. And I do assure your Majesty, I am in good hope, that when Sir Edward *Cooks Reports*, and my Rules and Decisions shall come to *Posterity*, there will be (whatsoever is now thought) Question, who was the greater *Lawyer*. For the *Books* of the *Terms* of the Law, There is a poor one; But I wish a Diligent one, wherein should be comprised, not only the Exposition of the *Terms* of Law; but of the Words of all ancient *Records* and *Presidents*.

For the *Abridgements*, I could wish if it were possible, that none might use them, but such as had read the *Course*; First, that they might serve for *Repertories* to Learned Lawyers, and not to make a Lawyer in haste; But since that cannot be, I wish there were a good Abridgement composed, of the Two that are extant, and in better order. So much for the *Common Law*.

Statute Law.

FOR the *Reforming* and *Recompiling* of the *Statute Law*, it consisteth of Four parts.

1. The First, to discharge the *Books* of those *Statutes*, whereas the *Case* by Alteration of time is vanished; As *Lombards Jews*, *Gauls* half Pence, &c. Those may, nevertheless, remain in the *Libraries* for Antiquities, but no *Reprinting* of them. The like of *Statutes* long since expired, and clearly repealed; For if the *Repeal* be doubtful, it must be so propounded to the *Parliament*.

2. The next is to repeal all *Statutes*, which are *sleeping*, and not of use, but yet *snaring* and in force; In some of those, it will, perhaps be requisite to substitute some more reasonable Law, instead of them, agreeable to the time; In others a simple repeal may suffice.

3. The Third, that the Grievousness of the *Penalty* in many *Statutes* be mitigated, though the *Ordinance* stand.

4. The last is, the Reducing of *Concurrent Statutes* heaped one upon another, to one clear and uniform Law. Towards this there hath been already upon my motion, and your Majesties direction, a great deal of good pains taken: My Lord *Hobert*, My Self, *Serjeant Finch*, Mr. *Hennage Finch*, Mr. *Noye*, Mr. *Hackwell*, and others: Whose Labours being of a great bulk, it is not fit now to trouble your Majesty with any further particularity therein: Only by this you may perceive the *Work* is already advanced: But because this part of the *Work* which concerneth

cerneth the Statute Laws, must of necessity come to *Parliament*; And the *Houses* will best like that which themselves guide; And the Persons that themselves employ; The way were to imitate the president of the *Commissioners*, for the *Canon Laws*, in 27. *Hen. 8.* and 4. *Edw. 6.* And the *Commissioners* for the *Union* of the two Realms, *Primo*, of your *Majesty*; And so to have the *Commissioners* named by both *Houses*; but not with a precedent power to Conclude; But only to prepare and propound to *Parliament*: This is the best way I conceive to accomplish this Excellent *Work* of Honour to your *Majesties Times*, and of Good to all Times: Which I submit to your *Majesties* better Judgment.

A Proposition touching the Compiling and Amendment of the Laws of England.



A
FRAGMENT
OF AN
ESSAY
OF
FAME.

THE *Poets* make *Fame* a *Monster*. They describe her in Part, finely and elegantly; and in part gravely and sententiouly. They say, look how many *Feathers* she hath, so many *Eyes* she hath underneath: So many *Tongues*; so many *Voices*; she pricks up so many *Ears*.

This is a *flourish*: There follow excellent *Parables*; as that she gathereth strength in going; That she goeth upon the ground, and yet hideth her head in the *Clouds*. That in the day time she sitteth in a *Watch Tower*, and flyeth most by night: That she mingleth things done, with things not done: And that she is a *Terrour* to great *Cities*: But that which passeth all the rest is: They do recount that the *Earth*, *Mother* of the *Gyants*, that made War against *Jupiter*, and were by him destroyed, thereupon, in anger, brought forth *Fame*: For certain it is, that *Rebels* figured by the *Gyants* and *Seditious Fames*, and *Libels*, are but *Brothers* and *Sisters*; *Masculine* and *Feminine*. But now if a *Man* can tame this *Monster*, and bring her to feed at the hand, and govern her, and with her flye other ravening *Fowl*, and kill them, it is somewhat worth. But we are infected with the stile of the *Poets*. To speak now in a sad and serious manner: There is not in all the *Politiques*, a *Place* less handled, and more worthy to be handled, then this of *Fame*. We will therefore speak of these *points*. What are false *Fames*; and what are true *Fames*; and how they may be best discerned; how *fames* may be sown and raised; how they may be spread and multiplyed; and how they may be checked and layed dead. And other things concerning the *Nature* of *Fame*.

Fame

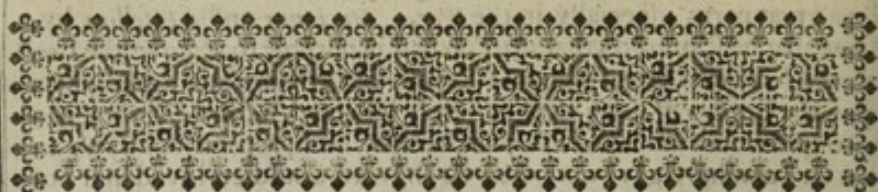
Fame is of that force, as there is scarcely any great Action wherein it hath not a great part; especially in the War. *Mucianus* undid *Vitellius* by a Fame, that he scattered; that *Vitellius* had in purpose to remove the Legions of *Syria* into *Germany*; and the Legions of *Germany*, into *Syria*: whereupon the Legions of *Syria* were infinitely inflamed. *Julius Caesar* took *Pompey* unprovided, and layed asleep his industry and preparations, by a Fame that he cunningly gave out; how *Caesar's* own Souldiers loved him not; And being wearied with the Wars, and laden with the spoils of *Gaul*, would forsake him as soon as he came into *Italy*. *Livia* settled all things for the Succession of her Son *Tiberius*, by continual giving out, that her husband *Augustus* was upon recovery and amendment. And it is an usual thing with the *Eastwards*, to conceal the Death of the great *Turk* from the *Janizaries*, and Men of War, to save the Sacking of *Constantinople*, and other Towns, as their manner is. *Themistocles*, made *Zerxes*, King of *Persia* post apace out of *Græcia*, by giving out that the *Græcians* had a purpose to break his Bridge of Ships, which he had made athwart *Hellepont*. There be a thousand such like Examples; and the more they are, the less they need to be repeated; because a man meeteth with them every where: Therefore, let all Wise Governors have as great a watch and care over Fames, as they have of the Actions and Designs themselves.

A Civil
Character of
Julius Caesar.

The rest was not Finished.

FF 2

A



A
CIVIL CHARACTER
OF
Julius Cæsar.

Written in Latine by his Lordship, but Englished by the Publisher.

JULIUS CÆSAR was partaker at first of an exercised Fortune; which turned to his benefit: For it abated the Haughtiness of his spirit, and whetted his Industry. He had a Mind, *Turbulent* in his Desires and Affections; but in his judgment understanding very *serene* and *placide*: And this appears by his easie deliverances of himself, both in his Transactions and in his Speech. For no man ever resolved more swiftly, or spake more perspicuously and plainly. There was nothing forced or difficult in his Expressions. But in his will and appetite, he was of that Condition, that he never rested in those things he had gotten; but still thirsted and pursued after new; yet so, that he would not rush into new Affairs rashly, but settle and make an end of the former, before he attempted fresh Actions. So that he would put a seasonable period to all his Undertakings. And therefore, though he won many Battels in *Spain*, and weakned their *Forces* by degrees; yet he would not give over, nor despise the Reliques of the *Civil War* there, till he had seen all things composed: But then as soon as that was done, and the State settled, instantly he advanced in his Expedition against the *Parthians*.

He was, no doubt, of a very noble Mind; but yet such as aimed more at his particular *Advancement*, then at any *Merits* for the *Common Good*. For he referred all things to *Himself*; and was the true and perfect *Center* of all his Actions. By which means, being so fast tyed to his Ends, he was still prosperous, and prevailed in his Purposes; Insomuch, that neither *Country*, nor *Religion*, nor good *Turns* done him, nor *Kindred*, nor *Friendship* diverted his Appetite, nor bridled him from pursuing his own Ends. Neither was he much enclined to *works* of *Perpetuity*: For he established nothing for the future; he founded no sumptuous *Buildings*; He procured to be enacted no wholsom *Laws*, but still minded him-

himself: and so his Thoughts were confined within the Circle of his own Life. He sought indeed after *Fame* and *Reputation*; because he thought they might be profitable to his Designs: Otherwise, in his inward Thoughts he propounded to himself rather *Absoluteness* of Power, than *Honour*, and *Fame*. For as for *Honour* and *Fame*, he pursued not after them for themselves; but because they were the Instruments of Power and *Greatness*. And therefore he was carried on through a Natural Inclination, not by any Rules that he had learned to affect the sole *Regiment*; and rather to *enjoy* the same, than to *seem worthy* of it. And by this means he won much Reputation amongst the *People*, who are no valuers of true Worth: But amongst the *Nobility* and great Men, who were tender of their own Honours, it procured him no more than this, that he incurred the Brand of an *Ambitious* and *Daring* Man.

Neither did they much erre from the Truth who thought him so; for he was by Nature exceeding *bold*; and never did put on any shew of *Modesty*, except it were for some purposes. Yet notwithstanding, he so tempered his *Boldness*, that it neither impeached him of Rashness; nor was burthenfom to men; nor rendred his Nature suspected, but was conceived to flow out of an Innate Sincerity and freeness of Behaviour; and the *Nobility* of his *Birth*: And in all other things he passed, not for a *Crafty* and *Deceitful* Person; but for an *open-hearted* and *plain-dealing* Man. And whereas he was indeed an *Arch-Politician*, that could counterfeit and dissemble sufficiently well; and was wholly compounded of *Frauds* and *Deceits*; so that there was nothing *sincere* in him, but all *Artificial*; yet he covered, and disguised himself so, that no such Vices appeared to the Eyes of the World; but he was generally reputed to proceed plainly and uprightly with all men. Howbeit, he did not stoop to any petty and mean *Artifices*, as they do, which are ignorant in State-Employments; and depend not so much upon the strength of their own Wits, as upon the Counsels and Brains of others, to support their Authority; For he was skilled in the Turnings of all Humane Affairs; and transacted all Matters, especially those of High Consequence by himself, and not by others.

He was singularly skilful to avoid *Envy*; and found it not impertinent to his Ends, to decline that, though it were with some diminution of his *Dignity*. For aiming at a *Real power*, he was content to pass by all vain Pomp and outward shews of Power throughout his whole Life; Till at the last, whether high-flown with the continual *Exercise* of Power, or corrupted with *Flatteries*, he affected the *Ensigns* of Power (The *Stile* and *Diadem* of a *King*) which was the Bait that wrought his overthrow.

This is true, that he harboured the thoughts of a *Kingdom* from his very youth: And hereunto the *Example* of *Sylla*, and the *Kindred* of *Marius*, and his *Emulation* of *Pompey*, and the *Corruption* and *Ambition* of the *Times*, did prick him forward: But then he paved his way to a *Kingdom*, after a wonderful and strange manner. As first, by a *Popular* and *seditions* power; afterwards by a *Military* power, and that of a *General in War*. For there was required to effect his Ends; First, That he should break the *Power* and *Authority* of the *Senate*; which, as long as it stood firm, was adverse, and an hinderance, that no man could climb to *Sovereignty* and *Imperial Command*. Then the *Power* of *Crassus*

A Civil
Character
of Julius
Cæsar.

A Civil
Character
of Julius
Cæsar.

and Pompey, was to be subdued and quelled, which could not be done otherwise, then by Arms. And therefore (as the most *Cunning Contriver* of his own Fortune) he laid his first Foundation by *Bribes*; By corrupting the *Courts of Justice*; by renewing the *Memory* of *Caius Marius*, and his party; For most of the *Senators* and *Nobility* were of *Sylla's Faction*: By the *Laws* of distributing the *Fields*, amongst the *Common People*: By the *sedition* of the *Tribunes*, where he was the *Author*: By the *madness* and *fury* of *Cataline*, and the *Conspirators*, unto which Action he secretly blew the *coals*: By the *Banishment* of *Cicero*, which was the greatest Blow, to the *authority* of the *Senate*, as might be; and several other the like *Arts*: But most of all by the *Conjunction* of *Crassus* and *Pompey*, both betwixt themselves, and with him; which was the thing that finished the work.

Having accomplished this part, he betook himself to the other; which was to *make use* of, and to *enjoy* his power. For being made *Proconsul* of *France* for five years; and afterwards continuing it for five years more; he furnished himself with *Arms* and *Legions*, and the power of a War-like and *Opulent Province*; and was formidable to *Italy*.

Neither was he ignorant, that after he had strengthened himself with *Arms*, and a *Military power*, neither *Crassus* nor *Pompey* could ever be able to bear up against him; whereof the one trusted to his great *Riches*; the other to his *Fame* and *Reputation*; the one decayed through age; the other in power and authority: And neither of them were grounded upon true and lasting Foundations. And the rather, for that he had obliged all the *Senators* and *Magistrates*: And in a word all those that had any power in the *Common-wealth*, so firmly to himself, with private Benefits; that he was fearless of any Combination or Opposition against his Designs, till he had openly invaded the *Imperial power*.

Which thing, though he always bare in his Mind; and at the last acted it; yet he did not lay down his former person: But coloured things so; That what with the reasonableness of his Demands; What with his pretences of Peace; and what with the Moderate use of his Successes; he turned all the *Envy* of the *Adverse Party*; and seemed to take up *Arms* upon necessity for his own preservation and safety. But the falseness of this pretence manifestly appeared; inasmuch as soon after having obtained the *Regal Power*, all *Civil Wars* being appeased; and all his *Rivals* and *Opposites*, which might put him to any fear, being removed out of the way by the stroke of *Death*; notwithstanding he never thought of resigning the *Republick*; No, nor ever made any shew or offer of resigning the same. Which shewed plainly, that his ambition of being a *King* was settled in him, and remained with him unto his last breath. For he did not lay hold upon occasions, as they happened, but moulded and formed the occasions, as himself pleased.

His chief *Abilities* consisted in *Martial Knowledge*; In which he so excelled, that he could not only lead an Army, but mould an Army to his own liking. For he was not more skilful in managing Affairs, than in winning of Hearts. Neither did he affect this by any ordinary Discipline, as by inuring them to fulfil all his commands; or by striking a shame into them to disobey, or by carrying a severe Hand over them: But by such a way as did wonderfully stir up an alacrity and chearfulness in them: and did in a sort assure him of the Victory aforehand, and which did oblige the Souldier to him, more than was fit for a *Free Estate*.

Now

Now whereas he was versed in all kinds of *Martial knowledge*, and joyned *Civil Arts*, with the *Arts of War*; nothing came so suddenly, or so unlooked for upon him, for which he had not a remedy at hand: And nothing was so adverse, but that he could pick something for his Turn and Benefit out of it.

He stood sufficiently upon his *State* and *Greatness*. For in great Battels, he would sit at home in the *Head Quarter*, and manage all Things by *Messages*, which wrought him a double benefit. First, that it secured his *Person* more, and exposed him the less to *Danger*. Secondly, that if at any time his *Army* was worsted, he could put new spirit into them with his own presence, and the *Addition of fresh Forces*, and turn the *Fortune of the Day*. In the conducting of his *Wars*, he would not only follow former *Precedents*, but he was able to devise and pursue new *Stratagems*, according as the accidents and occasions required.

He was constant, and singularly kind, and indulgent in his *Friendships* contracted. Notwithstanding, he made choice of such Friends, as a man might easily see, that he chose them rather to be *Instruments* to his *Ends*, than for any *Good will* towards them. And whereas, by Nature, and out of a firm Resolution, he adhered to this Principle; not to be eminent amongst *Great* and *deserving* Men; but to be chief amongst *Inferiours* and *Vassals*; he chose only mean and active men, and such as to whom himself might be all in all. And hereupon grew that saying; *So let Cæsar live, though I dye*, and other speeches of that kind. As for the *Nobility*, and those that were his *Peers*, he contracted Friendship with such of them, as might be useful to him; and admitted none to his *Cabinet Counsel*, but those that had their Fortunes wholly depending upon him.

He was moderately furnished with good *Literature*, and the *Arts*; But in such sort as he applied his skill therein to *Civil Policy*. For he was well read in *History*: and was expert in *Rhetorique*, and the *Art of Speaking*. And because he attributed much to his good *stars*, he would pretend more than an ordinary Knowledge in *Astronomy*. As for *Eloquence*, and a prompt *Elocution*, that was *Natural* to him and *pure*.

He was dissolute, and propense to *Voluptuousness* and *Pleasures*; which served well at first for a Cover to his *Ambition*. For no man would imagine, that a man so loosely given could harbour any *Ambitious* and *Vast Thoughts* in his Heart. Notwithstanding, he so governed his *Pleasures*, that they were no hinderance, either to his profit, or to his business: And they did rather whet, then dull the vigour of his Mind. He was *Temperate* at his *Meals*; *Free* from *Niceness* and *Curiosity* in his *Lusts*; pleasant and *Magnificent* at publick *Interludes*.

Thus being accomplished, the same Thing was the Means of his downfall at last; which in his Beginnings was a step to his *Rise*; I mean, his *Affection of Popularity*. For nothing is more popular, than to forgive our *Enemies*. Through which, either *Vertue* or *Cunning*, he lost his life.

A Civil
Character of
Julius Cæsar

A
CIVIL CHARACTER
OF
AUGUSTUS CÆSAR.

Written in Latine by his Lordship, but Englished
by the Publisher.

AUGUSTUS CÆSAR (if ever any *Mortal Man*) was endued with a *greatness* of *Mind*, undisturbed with *passions*, clear and well ordered; Which is evidenced by the High *Atchievements* which he performed in his early youth. For those persons which are of a turbulent Nature or Appetite, do commonly pass their youth in many *Errours*; And about their Middle and then and not before, they shew forth their *Perfections*; But those that are of a Sedate and calm Nature, may be ripe for great and glorious *Actions* in their youth. And whereas the *Faculties* of the *Mind*, no less then the *Parts* and *Members* of the *Body*, do consist and flourish in a good temper of *Health*, and *Beauty*, and *Strength*; So he was in the *strength* of the *Mind*, inferiour to his Uncle *Julius*; But in the *Health* and *Beauty* of the *Mind*, superiour. For *Julius* being of an unquiet and uncomposed Spirit; (As those, who are troubled with the *Falling Sicknes*, for the most part are;) Notwithstanding He carried on his own Ends with much Moderation and Discretion; But He did not order his Ends well, propounding to Himself, vast and high Designs, above the Reach of a *Mortal Man*. But *Augustus*, as a Man sober, and mindful of his *Mortality*, seemed to propound no other Ends to Himself, then such as were orderly and well weighed, and governed by *Reason*. For first he was desirous indeed to have the *Rule*, and *Principality* in his Hands; Then He sought to appear worthy of that *Power* which he should acquire: Next, to enjoy an *High Place*, He accounted but a *Transitory Thing*: Lastly, He endeavoured to do such *Actions*, as might continue his *Memory*, and leave an *Impression* of his good Government to *After Ages*. And therefore, in the beginning of his Age, He affected *Power*; In the middle of his Age, *Honour* and *Dignity*; In the decline of his years, *Ease* and *Pleasure*; And in the end of his Life, He was wholly bent to *Memory* and *Posterity*.

A
COLLECTION
OF
APOPHTHEGMS
New and Old.

BY THE
RIGHT HONOURABLE
FRANCIS BACON,
Baron of *Verulam*, Viscount *S^t Alban*.

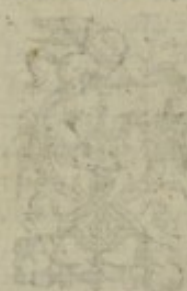


LONDON,

Printed for *William Lee*, and are to be sold at his Shop at the Sign of
the *Turky Head*, near the *Mitre Tavern* in *Fleetstreet*, 1671.

A
COLLECTION
OF
APOPTHEGMS
New and Old.

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FRANCIS BACON
Baron of Verulam, Viscount St Alban.



LONDON,
Printed for William Lee, and are to be sold at his Shop at the Sign of
the Turkey Head, near the White Tavern in Fleetstreet, 1671.

His Lordships Preface.

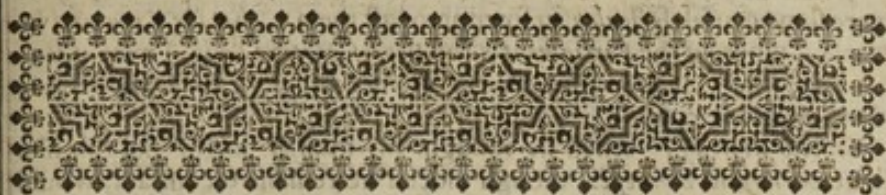
Julius Cæsar did write a Collection of Apophthegms, as appears in an Epistle of Cicero; so did Macrobius a Consular Man. I need say no more, for the worth of a Writing of that Nature. It is pity Cæsars Book is lost: For I imagine they were collected with judgment and choice: whereas that of Plutarch and Stobæus; And much more the Modern ones, draw much of the Dregs. Certainly they are of excellent use. They are Mucrones verborum, Pointed Speeches. The words of the wise are as Goads, saith Solomon. Cicero prettily calleth them Salinas, Saltpits, that you may extract Salt out of, and sprinkle it where you will. They serve to be interlaced in Continued speech. They serve to be recited upon Occasion of themselves. They serve if you take out the Kernel of them, and make them your own. I have for my Recreation amongst more serious studies, collected some few of them: Therein fanning the old, Not omitting any, because they are vulgar, (For many vulgar ones are excellent good;) Nor for the Meanness of the Person; But because they are Dull and Flat; And adding many New, that otherwise would have died.

This collection his Lordship made out of his Memory, without turning any Book.

His Lordships Preface

Ullius Cæsar did write a Collection of Apophthegms, as appears in an Epistle of Cicero; so did Macrobius a Consular Man. I need say no more for the worth of a Writing of that Nature. It is but Cæsar's Book is lost: For I imagine they were collected with judgment and choice: whereas that of Plutarch and Stobæus; And much more the Modern ones; draw much of the Dregs. Certainly they are of excellent use. They are *Maximæ verborum*, pointed speeches. The words of the wise are as Goods, said Solomon. Cicero prettily call them *Sælinas*, Salines, that you may extract salt out of, and sprinkle it where you will. They serve to be intailed in Continued speech. They serve to be recited upon Occasion of themselves. They serve if you take out the Kernel of them, and make them your own. I have for my Recreation amongst more serious studies, collected some few of them: I herein joining the old, & omitting any, because they are vulgar. (For many vulgar ones are excellent good;) Nor for the Merit of the Person; But because they are Dull and Flat. And as many New, that otherwise would have died.

This collection
of his Epistles
made out of
his Memoirs
is without
any thing new
Book.



A
COLLECTION
 OF
APOPTHEGMS
 New and Old.

QUEEN ELIZABETH, the morrow of her Coronation, (It being the custom to release Prisoners, at the Inauguration of a Prince,) went to the Chappel; And in the great Chamber, one of her Courtiers, who was well known to her, either out of his own Motion, or by the Instigation of a wiser Man, presented her with a Petition, And before a great number of Courtiers, besought her with a loud voice; *That now this good time, there might be four or five principal Prisoners more released; Those were the four Evangelists and the Apostle Saint Paul, who had been long shut up in an unknown Tongue, as it were in Prison; so as they could not converse with the Common People.* The Queen answered very gravely, *That it was best first to enquire of them, whether they would be released or no.*

2. Queen ANN BULLEN, at the time when she was led to be beheaded in the Tower, called one of the Kings privy Chamber to her, and said unto him, *Commend me to the King, and tell him, that he hath been ever constant in his course of advancing me; From a private Gentlewoman, he made me a Marchioness; And from a Marchioness a Queen; And now that he hath left no higher degree of Earthly Honour, He intends to Crown my Innocency with the Glory of Martyrdom.*

3. His Majesty JAMES the First, King of Great Britain, having made unto his Parliament an excellent and large Declaration, concluded thus, *I have now given you a clear Mirrour of my mind; Use it therefore like a Mirrour, and take heed how you let it fall, or how you soyle it with your Breath.*

4. A great Officer in France was in danger to have lost his place, but his Wife by her suit and means making, made his peace, whereupon a pleasant fellow said, *That he had been crusht, but that he saved himself upon his horns.*

5. His

5. His Majesty said to his Parliament at another time, finding there were some causeless Jealousies sown amongst them; *That the King and his People, (whereof the Parliament is the Representative Body,) were as Husband and Wife; And therefore, that of all other things, Jealousie was between them, most pernicious.*

6. His Majesty, when he thought his Counsel might note in him some variety in Business, though indeed he remained constant, would say; *That the Sun many times shineth watry; But it is not the Sun which causeth it, But some Cloud rising betwixt us and the Sun: And when that is scattered, the Sun is as it was, and comes to his former Brightness.*

7. His Majesty in his Answer to the Book of the Cardinal of Evreux (who had in a grave Argument of Divinity, sprinkled many witty Ornaments of Poesy and Humanity,) saith; *That these Flowers, were like Blew, and Yellow, and Red Flowers in the Corn, which make a pleasant shew to those that look on, but they hurt the Corn.*

8. Sir Edward Cook being vehement against the two Provincial Counsels, of Wales, and the North, said to the King; *There was nothing there, but a kind of Confusion and hotch potch of Justice: One while they were a Starr-Chamber; Another while a Kings-Bench; Another, a Common place; Another, a Commission of Oyer and Terminer.* His Majesty answered; *Why Sir Edward Cook, they be like Houses in progress, where I have not, nor can have, such distinct Rooms of State, as I have here at White-Hall, or at Hampton Court.*

9. The Commissioners of the Treasure, moved the King for the Relief of his Estate, to disforest some Forests of his, explaining themselves of such Forests as lay out of the way, not near any of the Kings Houses, nor in the course of his Progress; Whereof he should never have use nor pleasure. *Why, (saith the King,) do you think that Solomon had use and pleasure of all his 300 Concubines.*

10. His Majesty, when the Committees of both Houses of Parliament presented unto him the Instrument of union of England and Scotland, was merry with them; And amongst other pleasant speeches shewed unto them the Laird of Lawreslon a Scotchman, who was the Tallest and Greatest Man that was to be seen, and said; *Well, now we are all one, yet none of you will say, but here is one Scotchman greater then any English Man,* which was an ambiguous Speech; but it was thought he meant it of Himself.

11. His Majesty would say to the Lords of his Counsel when they came upon any great Matter, and came from Counsel in to him, *Well you have set, but what have you hatcht?*

12. When the Arch-Duke did raise his Siege from the Grave, the then Secretary came to Queen Elizabeth; The Queen (having first Intelligence thereof,) said to the Secretary, *Wote you what? The Arch-Duke is risen from the Grave:* He answered; *What, without the Trumpet of the Arch-Angel?* The Queen replied yes, without the sound of Trumpet.

13. Queen Elizabeth was importuned much by my Lord of Essex, to supply divers great Offices, that had been long void: The Queen answered nothing to the Matter; But rose up on the sudden, and said; *I am sure my Office will not be long void.* And yet at that time, there

there was much speech of Troubles, and Divisions about the Crown, to be after her Decease: But they all vanished; and King James came in, in a profound peace.

14. The Counsel did make Remonstrance unto Queen Elizabeth, of the continual Conspiracies against her Life; and namely, that a Man was lately taken, who stood ready in a very dangerous and suspicious manner to do the Deed: and they shewed her the weapon, wherewith he thought to have acted it. And therefore they advised her, that she should go less abroad to take the Air, weakly attended, as she used. But the QUEEN answered; That she had rather be dead, then put in Custody.

15. The Lady Paget, that was very private with Queen Elizabeth, declared her self much against the Match with Monsieur. After Monsieurs Death, the Queen took extream Grief, (at least as she made shew) and kept in within her Bed-Chamber, and one Ante-Chamber for three weeks space, in token of mourning: At last she came forth into the Privy-Chamber, and admitted her Ladies to have access unto her; and amongst the rest, my Lady Paget presented her self, and came to her with a smiling Countenance. The Queen bent her Brows, and seemed to be highly displeased, and said to her; Madam, you are not ignorant of my extream Grief, and do you come to me with a Countenance of Joy? My Lady Paget answered; Alas if it please your Majesty, it is impossible for me to be absent from you three weeks, but that when I see you, I must look chearfully. No, no, (said the Queen, not forgetting her former Aversness to the Match) you have some other conceit in it, tell me plainly. My Lady answered; I must obey you; It is this. I was thinking how happy your Majesty was, you married not Monsieur; For seeing you take such thought for his Death, being but your freind; If he had been your Husband sure it would have cost you your life.

16. Henry the 4th of France his Queen was young with Child; Count Soisons, that had his expectation upon the Crown, when it was twice or thrice thought that the Queen was with Child before, said to some of his Friends; That it was but with a Pillow; This had some ways come to to the Kings Ear; who kept it till such time as the Queen waxed great: Then he called the Count of Soisons to him, and said; laying his hand upon the Queens Belly; Come Cousin, is this a Pillow? The Count of Soisons answered; Yes, Sir, it is a Pillow for all France to sleep upon.

17. King Henry the 4th of France, was so punctual of his word, after it was once passed, that they called him the King of the Faith.

18. The said King Henry the 4th was moved by his Parliament to a War against the Protestants: He answered; Yes, I mean it: I will make every one of you Captains; you shall have Companies assigned you. The Parliament, observing whereunto his Speech tended, gave over, and deserted his motion.

19. Queen Elizabeth was wont to say, upon the Commission of sales; That the Commissioners used her like Strawberry-Wives, that layed two or three great strawberries at the mouth of their pot, and all the rest were little ones; so they made her two or three good prizes of the first particulars, but fell straight ways.

20. Queen Elizabeth used to say of her Instructions, to great Officers; That they were like to Garments, streight at the first putting on, but did by and by wear loose enough.

21. A great Officer at Court, when my Lord of Essex was first in trouble; and that he, and those that dealt for him, would talk much of my Lords Friends; and of his Enemies, answered to one of them; *I will tell you, I know but one Friend, and one Enemy my Lord hath; and that one friend is the Queen, and that one Enemy is himself.*

22. The book of Deposing King Richard the second, and the coming in of Henry the 4th, supposed to be written by Doctor Hayward, who was committed to the Tower for it, had much incensed Queen Elizabeth; and she asked Mr. Bacon, being then of her Counsel learned, whether there were any Treason contained in it? who intending to do him a pleasure, and to take off the Queens bitterness with a merry conceit, answered; *No madam, for Treason, I cannot deliver Opinion, that there is any, but very much Felony: The Queen apprehending it gladly, asked, How? And wherein? Mr. Bacon answered; Because he had stolen many of his sentences and conceits out of Cornelius Tacitus.*

23. Queen Elizabeth being to resolve upon a great Officer, and being by some, that canvassed for others, put in some doubt of that person, whom she meant to advance, called for Mr. Bacon; And told him, *she was like one, with a Lanthorn, seeking a man; and seemed unsatisfied in the choice she had of a man for that place.* Mr. Bacon answered her, that he had heard that in old time, there was usually painted in the Church Walls, the Day of Doom, and God sitting in Judgment, and Saint Michael by him, with a pair of Ballances; And the soul, and the Good Deeds in the one Ballance; and the Faults, and the Evil Deeds in the other; and the souls Ballance went up far too light: Then was our Lady painted with a great pair of Beads; who cast them into the light Ballance, and brought down the skale: so he said; *place and Authority which were in her Majesties hands to give, were like our Ladies Beads which though men, through any imperfections, were too light before, yet when they were cast in, made weight competent.*

24. Queen Elizabeth was dilatory enough in suits of her own Nature; and the Lord Treasurer Burleigh being a Wise Man, and willing therein to feed her humour, would say to her; *Madam, you do well to let suiters stay; For I shall tell you, Bis dat, qui citò dat; if you grant them speedily, they will come again the sooner.*

25. Sir Nicholas Bacon, who was Keeper of the Great Seal of England, when Queen Elizabeth, in her Progress, came to his house at Gorhambury; and said to him; *My Lord, what a little house have you gotten?* Answered her; *Madam, my House is well, but it is you that have made me too great for my House.*

26. There was a conference in Parliament, between the Lords House, and the House of Commons, about a Bill of Accountants, which came down from the Lords to the Commons; which Bill prayed; *That the Lands of Accountants, whereof they were seized, when they entred upon their Office, might be liable to their Arrears to the Queen.* But the Commons desired, that the Bill might not look back to Accountants that were already, but extend only to Accountants hereafter. But the Lord Treasurer said; *Why, I pray you, if you had lost your Purse by the way; would you look forwards, or would you look back?* The Queen hath lost her Purse.

27. The Lord Keeper, Sir Nicholas Bacon was asked his Opinion by my Lord

Lord of Leicester, concerning two persons whom the Queen seemed to think well of: *By my Troth my Lord* (said he) *the one is a grave Counsellor; The other is a proper young Man; and so he will be as long as he lives.*

28. *My Lord of Leicester*, Favourite to *Queen Elizabeth*, was making a large Chace about *Cornbury Park*; meaning to enclose it with Posts and Rails, and one day was casting up his charge what it would come to. *Mr. Goldingham*, a free-spoken Man, stood by, and said to my Lord; *Methinks your Lordship goeth not the cheapest way to work.* Why, *Goldingham*, said my Lord? *Marry my Lord*, said *Goldingham*; *Count you but upon the posts, for the Countrey will find you railing.*

29. *The Lord Keeper*, *Sir Nicholas Bacon*, was asked his Opinion by *Queen Elizabeth*, of one of these *Monopoly licenses*? And he answered; *Madam, will you have me speak the Truth?* *Licentiâ omnes deteriores sumus: We are all the worse for Licenses.*

30. *My Lord of Essex*, at the *Succour of Rboane*, made 24 Knights, which at that time was a great number. Divers of those *Gentlemen*, were of weak and small means; which when *Queen Elizabeth* heard, she said; *My Lord might have done well to have built his Alms-house, before he made his Knights.*

31. *The Deputies of the Reformed Religion*, after the massacre which was at *Paris* upon *Saint Bartholomews Day*, treated with the *King* and *Queen Mother*, and some other of the *Counsel* for a peace. Both sides were agreed upon the *Articles*. The question was, upon the security for the performance. After some particulars propounded and rejected, the *Queen Mother* said, *why, is not the word of a King sufficient security?* One of the *Deputies* answered; *No by Saint Bartholomew, Madam.*

32. There was a *French Gentleman*, speaking with an *English* of the *Law Salique*, That *Women* were excluded from inheriting the *Crown of France*. The *English* said; *yes, but that was meant of the Women themselves, not of such Males as claimed by Women.* The *French Gentleman* said, *where do you find that gloss?* The *English* answered, *I'll tell you, Sir. Look on the back-side of the Record, of the Law Salique, and there you shall find it endorsed: Implying there was no such thing as the Law Salique, but that it is a meer fiction.*

33. A *Fryar of France*, being in an earnest Dispute about the *Law Salique*, would need prove it by *Scripture*; citing that verse of the *Gospel*; *Lilia Agri, non laborant, neque nent; The Lilies of the Field do neither labour nor spin:* Applying it thus; *That the Flower De Luces of France cannot descend, neither to the distaff, nor to the spade; That is, not to a woman, nor to a peasant.*

34. When Peace was renewed with the *French* in *England*, divers of the great *Counsellors* were presented from the *French* with *Jewels*: The *Lord Henry Howard*, being then *Earl of Northampton*, and a *Counsellor* was omitted. Whereupon the *King* said to him, *My Lord, how happens it, that you have not a Jewel as well as the rest?* *My Lord* answered, according to the *Fable* in *Æsop*; *Non sum Gallus, itaque non reperi Gemmam.*

35. The same *Earl of Northampton*, then *Lord Privie Seal*, was askt by *King James*, openly at the Table, Where Commonly he entertained the *King* with discourse; the *King* askt him upon the sudden; *my Lord*

have you not a desire to see Rome? My Lord Privy Seal answered; *yes indeed Sir: The King said, and why? My Lord answered; Because if it please your Majesty, it was the seat of the greatest Monarchy, and the Seminary of the bravest men of the world, whilst it was Heathen: And then Secondly, because afterwards it was the See of so many holy Bishops in the Primitive Church, most of them Martyrs.* The King would not give it over, but said; *And for nothing else?* My Lord answered; *yes, if it please your Majesty, for two things more: The one to see him, who they say hath so great a power to forgive other men their sins, to confess his own sins upon his knees before a Chaplain or Priest: And the other to hear Antichrist say his Creed.*

36. Sir Nicholas Bacon, being appointed a Judge for the Northern Circuit, and having brought his Trials that came before him to such a pass, as the passing of Sentence on Malefactors, he was by one of the Malefactors mightily importuned for to save his life, which when nothing that he had said did avail, he at length desired his mercy on the account of kindred: Prethee said my Lord Judge, how came that in? Why, if it please you my Lord, your name is Bacon, and mine is Hog, and in all Ages Hog and Bacon have been so near kindred, that they are not to be separated. I but replied Judge Bacon, you and I cannot be kindred, except you be hanged; for Hog is not Bacon until it be well hanged.

37. Two Scholars and a Countrey man travelling upon the Road, one night lodged all in one Inn, and suppt together, where the Scholars thought to have put a trick upon the Countrey man which was thus; the Scholars appointed for Supper two Pigeons, and a Fat Capon, which being ready, was brought up, and they having set down, the one Scholar took up one Pigeon, the other Scholar took the other Pigeon thinking thereby that the Countrey man should have fate still until that they were ready for the carving of the Capon, which he perceiving, took the Capon and laid it on his Trencher, and thus said, *Daintily contrived, every one a bird.*

38. Jack Roberts was desired by his Taylour, when the reckoning grew somewhat high, to have a Bill of his hand. Roberts said, I am content, but you must let no man know it; when the Taylour brought him the Bill, he tore it as in cholar, and said to him, *you use me not well, you promised me that no man should know it, and here you have put in: Be it known unto all men by these Presents.*

39. Sir Walter Raleigh was wont to say of the Ladies of Queen Elizabeths Privy Chamber, and Bed Chamber, *That they were like Witches, they could do hurt, but they could do no good.*

40. There was a Minister deprived for inconformity, who said, to some of his friends, that if they deprived him, it should cost an hundred mens lives, the party understood it, as if being a turbulent fellow, he would have moved sedition, and complained of him, whereupon being convented and opposed upon that speech, he said his meaning was, *That if he lost his Benefice, he would Practise Physick, and then he thought he should kill an hundred men in time.*

41. Secretary Bourns Son kept a Gentlemans Wife in Shropshire, who lived from her Husband with him, when he was weary of her, he caused her Husband to be dealt with to take her home, and offered him five hundred

hundred pounds for reparation: the Gentleman went to Sir H. Sidney, to take his advice upon this offer, telling him, that his Wife promised now a new life; and to tell him truth, five hundred pounds would come well with him; and besides that sometimes he wanted a Woman in his Bed. *By my Troth, said Sir Henry Sidney, take her home, and take the Money, then whereas other Cuckolds wear their Horns plain, you may wear yours guilt.*

42. When *Rablais*, the great Jester of France, lay on his death bed, and they gave him the extreame unction, a familiar friend of his came to him afterwards, and asked him how he did, *Rablais* answered, *Even going my journey, they have greased my boots already.*

43. Mr. *Bromley* Solicitor, giving in evidence for a deed, which was impeached to be fraudulent, was urged by the Council on the other side with this presumption, that in two former suits when Title was made, that deed was passed over in silence, and some other conveyance stood upon: Mr. *Justice Catiline* taking in with that side, asked the Solicitor, I pray thee Mr. Solicitor, let me ask you a familiar question, I have two Geldings in my Stable; I have divers times business of importance, and still I send forth one of my Geldings and not the other, would you not think I set him aside for a Jade? *No my Lord, said Bromley, I would think you spared him for your own Saddle.*

44. *Thales* as he looked upon the stars, fell into the water, whereupon it was after said, *That if he had looked into the water, he might have seen the Stars, but looking up to the Stars he could not see the water.*

45. A Man and his Wife in bed together, she towards morning pretended her self to be ill at ease, desiring to lie on her Husbands side, so the good man to please her came over her, making some short stay in his passage over, where she had not long lain, but desired to lie in her old place again, quoth he, how can it be effected? she answered, come over me again, *I had rather, said he, go a mile and a half about.*

46. A Thief being Arraigned at the Bar for stealing a Mare, in his pleading urged many things in his own behalf, and at last nothing availing, he told the Bench, the Mare rather stole him, than he the Mare, which in brief he thus related, that passing over several grounds about his lawful occasions, he was pursued close by a fierce Mastive Dog, and so was forced to save himself by leaping over a Hedge, which being of an agil body he effected, and in leaping, a Mare standing on the other side of the hedge, leaped upon her back, who running furiously away with him, he could not by any means stop her until he came to the next Town, in which Town the owner of the Mare lived, and there was he taken, and here Arraigned.

47. Master *Mason* of Trinity Colledge, sent his Pupil to another of the Fellowsto borrow a Book of him, who told him, *I am loath to lend my Books out of my Chamber, but if it please thy Tutor to come and read upon it in my Chamber, he shall as long as he will.* It was Winter, and some days after the same fellow sent to Mr. *Mason* to borrow his Bellows, but Master *Mason* said to his Pupil, *I am loath to lend my Bellows out of my Chamber, but if thy Tutor would come and blow the Fire in my Chamber, he shall as long as he will.*

48. A notorious Rogue being brought to the Bar, and knowing his case to be desperate, instead of pleading, he took to himself the liberty

of jesting, and thus said, *I charge you in the Kings name, to seise and take away that man (meaning the Judge) in the Red Gown, for I go in danger of my life because of him.*

49. In Flanders by accident, a Flemish Tiler fell from the top of a house upon a spaniard, and killed him, though he escaped himself, the next of the blood prosecuted his death with great violence, and when he was offered pecuniary recompence, nothing would serve him, but *Lex talionis*, whereupon the Judge said to him, *That if he did urge that sentence, it must be, that he should go up to the top of the house, and then fall down upon the Tiler.*

50. A rough hewn Seaman, being brought before a wise Just-ice, for some misdemeanour, was by him sent away to Prison, and being somewhat refractory, after he heard his doom, inso-much as he would not stir a foot from the place he stood, saying, *it were better to stand where he was, than go to a worse place.* The Justice thereupon to shew the strength of his learning, took him by the shoulder, and said, *Thou shalt go Nogus voguis, instead of Nolens volens.*

51. Francis the first of France, used for his pleasure sometimes to go disguised: so walking one day in the company of the Cardinal of Bourbon, near Paris, he met with a Peasant with a new pair of shoes upon his arm; so he called him unto him, and said, *By our Lady, these be good shoes, What did they cost thee?* the Peasant said *guess, the King said, I think some five sols, saith the Peasant you have lied but a Carlois;* What villain said the Cardinal of Bourbon, thou art dead, it is the King, the Peasant replied, *The Devil take him of you and me that knew so much.*

52. There was a young man in Rome, that was very like Augustus Caesar, Augustus took knowledge of him, and sent for the man, and asked him, *Was your Mother never at Rome?* He answered, *No Sir, but my Father was.*

53. A Physician advised his Patient that had sore Eyes, that he should abstain from Wine, but the Patient said, *I think rather Sir, from wine and water, for I have often marked it in blew eyes, and I have seen water come forth, but never wine.*

54. A debauched Seaman being brought before a Justice of Peace upon the account of swearing, was by the Justice commanded to deposit his Fine in that behalf provided, which was two shillings, he thereupon plucking out of his pocket a half-crown, asked the Justice what was the rate he was to pay for Cursing, the Justice told him six pence, quoth he then, *A Fox take you all for a company of knaves and fools, and there's half a crown for you, I will never stand changing of money.*

55. Augustus Caesar was invited to Supper by one of his old Friends, that had conversed with him in his less fortunes, and had but ordinary entertainment, whereupon at his going away he said, *I did not know that you and I were so familiar.*

56. Agathocles after he had taken Syracuse, the men whereof during the siege, had in a bravery spoken of him all the villany that might be, sold the Syracusans for slaves, and said, *Now if you use such words of me, I will tell your Masters of you.*

57. Dionysius the elder, when he saw his Son in many things very inordinate, said to him, *Did you ever know me do such things?* his Son answered, *No, but you had not a Tyrant to your Father;* the Father replied,

No nor you if you take these courses, will have a Tyrant to your Son.

58. Calisthenes the Philosopher, that followed Alexanders Court, and hated the King, being asked by one, how one should become the famousst man in the world, answered, by taking away him that is.

59. Agesilaus, when one told him there was one did excellently counterfeit a Nightingale, and would have had him heard him, said, Why, I have heard the Nightingale her self.

60. A great Nobleman upon the complaint of a servant of his, laid a Citizen by the heels, thinking to bend him to his servants desire, but the fellow being stubborn, the servant came to his Lord, and told him, your Lordship I know hath gone as far as well you may, but it works not; for yonder fellow is more perverse then before. Said my Lord, Lets forget him a while, and then he will remember himself.

61. One came to a Cardinal in Rome, and told him that he had brought his Lordship a dainty white Palfrie, but he fell lame by the way, saith the Cardinal to him; I'll tell thee what thou shalt do, go to such a Cardinal, and such a Cardinal, naming him half a dozen Cardinals, and tell them as much, and so whereas by thy horse if he had been sound, thou couldst have pleased but one, with thy lame Horse thou maist please half a dozen.

62. A witty Rogue coming into a Lace-shop, said he had occasion for some Lace, choice whereof being shewed him, he at last pitched upon one pattern, and asked them how much they would have for so much as would reach from ear to ear, for so much he had occasion for, they told him for so much: so some few words passing between them, he at last agreed, and told down his money for it, and began to measure on his own head, thus saying, One ear is here, and the other is nailed to the Pillory in Bristol, and I fear you have not so much of this Lace by you at present as will perfect my bargain; therefore this piece of Lace shall suffice at present in part of payment, and provide the rest with all expedition.

63. Iphicrates the Athenian, in a Treaty that he had with the Lacedemonians for peace, in which question was about security for observing the same, said, The Athenians would not accept of any security, except the Lacedemonians did yield up unto them those things, whereby it might be manifest, that they could not hurt them if they would.

64. Euripides would say of persons that were beautiful, and yet in some years, In fairest bodies not only the spring is pleasant, but also the Autumn.

65. There was a Captain sent to an exploit by his General, with forces that were not likely to achieve the enterprise, the Captain said to him, Sir, appoint but half so many, why, saith the General, the Captain answered, Because it is better fewer dye than more.

66. There was a Harbinger who had lodged a Gentleman in a very ill room, who expostulated with him somewhat rudely, but the Harbinger carelessly said, You will take pleasure in it when you are out of it.

67. There is a spanish Adage, Love without end hath no end, meaning, that if it were begun not upon particular ends it would last.

68. A Woman being suspected by her Husband for dishonesty, and being by him at last prest very hard about it, made him quick answer with many protestations, That she knew no more of what he said, than the

Man

Man in the Moon: Now the Captain of the Ship called the Moon was the very man she so much loved.

96. *Demosthenes* when he fled from the battel, and that it was reproached to him, said, *That he that flies might fight again.*

70. *Gonsalvo* would say, *The honour of a souldier ought to be of a strong web*, meaning, that it should not be so fine and curious, that every little disgrace should catch and stick in it.

71. An Apprentice of *London* being brought before the Chamberlain by his Master, for the sin of incontinency, even with his own Mistress: the Chamberlain thereupon gave him many Christian Exhortations, and at last he mentioned and prest the chastity of *Joseph* when his Mistress tempted him with the like crime of incontinency. I Sir, said the Apprentice, *But if Josephs Mistress had been as handsome mine is, he could not have forborn.*

72. *Bias* gave in precept, love as if you should hereafter hate, and hate as if you should hereafter love.

73. *Cineas* was an excellent Oratour and States-man, and principal Friend and Counsellour to *Pyrrhus*, and falling in inward talk with him, and discerning the King endless ambitions, *Pyrrhus* opened himself unto him, that he intended first a War upon *Italy*, and hoped to atchieve it, *Cineas* asked him, *Sir, what will you do then?* then saith he, we will attempt *Sicily*; *Cineas* said, well Sir, *What then?* said *Pyrrhus*, if the gods favour us, we may conquer *Africk* and *Carthage*, *What then Sir*, saith *Cineas*? nay then saith *Pyrrhus*, we may take our rest, and Sacrifice and Feast every day, and make merry with our friends, *Alas Sir*, said *Cineas*, *may we not do so now without all this ado?*

74. *Lamia* the Curtizan had all power with *Demetrius* King of *Macedon*, and by her instigations he did many unjust and cruel acts, whereupon *Lyfimachus* said, *That it was the first time that ever he knew a Whore play in a Tragedy.*

76. One of the *Romans* said to his friend, *What think you of one who was taken in the act and manner of Adultery?* the other answered, *Marry I think he was slow at dispatch.*

75. *Epaminondas*, when his great friend and Colleague in War was suitor to him to pardon an offender, denied him; afterwards when a Concubine of his made the same suit, he granted it to her, which when *Pelopidas* seemed to take unkindly, he said, *Such suits are to be granted to Whores, but not to Personages of worth.*

77. *Thales* being asked when a man should marry, said, *Young men not yet, old men not at all.*

78. A Company of Scholars going together to catch Conies, carried one Scholar with them, which had not much more wit than he was born with, and to him they gave in charge, that if he saw any, he should be silent for fear of scaring of them, but he no sooner espied a company of Rabbits before the rest, but he cryed aloud, *Ecce Multi Cuniculi*, which in English signifies, *behold many Conies*, which he had no sooner said, but the Conies ran to their boroughs, and he being checked by them for it, answered, *Who the Devil would have thought that the Rabbits understood Latine?*

89. A *Welshman* being at a Sessions-house, and seeing the Prisoners hold up hands at the Bar, related to some of his acquaintance there, *That the*

the Judges were good Fortune-tellers, for if they did but look upon their hands, they could certainly tell whither they should live or dye.

80. *Solon compared the people unto the Sea, and Orators and Counsellours to the winds; for that the Sea would be calm and quiet, if the winds did not trouble it.*

81. *Socrates was pronounced by the Oracle of Delphos, to be the wisest man of Greece, which he would put from himself Ironically, saying, There would be nothing in him to verifie the Oracle, except this, that he was not wise and knew it, and others were not wise, and knew it not.*

82. *Socrates, when there was shewed him the book of Heraclitus the obscure, and was asked his opinion of it, answered. Those things which I understood were excellent, I imagine so were those I understood not, but they require a diver of Delos.*

83. *Bion asked an envious man, that was very sad, What harm had befallen unto him, or what good had befallen unto another man.*

84. *Stilpo the Philosopher, when the people flocked about him, and that one said to him, the people come wondring about you, as if it were to see some strange beast, No, saith he, it is to see a man which Diogenes sought with his Lanthorn at noon day.*

85. *A man being very jealous of his Wife, insomuch that which way soever she went, he would be prying at her heels, and she being so grieved thereat, in plain terms told him, That if he did not for the future leave off his proceedings in that nature, she would graft such a pair of Horns upon his Head, that should hinder him from coming out of any door in the house.*

86. *A Citizen of London passing the streets very hastily, came at last where some stop was made by Carts, and some Gentlemen talking together, who knew him, where being in some passion that he could not suddenly pass, one of them in this wise spoke unto him, That others had past by, and there was room enough, only he could not tell whether their Horns were so wide as his.*

87. *A Tinker passing Cheapside with his usual tone, Have you any work for a Tinker? an Apprentice standing at a door opposite to a Pillory there set up, called the Tinker, with an intent to put a jest upon him, and told him that he should do very well if he would stop those two holes in the Pillory, to which the Tinker answered, That if he would but put in his head and ears a while in that Pillory, he would bestow both brass and nails upon him to hold him in, and give him his labour into the bargain.*

88. *A young Maid having married an old Man, was observed on the day of Marriage to be somewhat moody, as if she had eaten a dish of Chums, which one of her Bridemen observing, bid her be cheery, and told her moreover, that an old horse would hold out as long, and as well as a young one in travel: to which she answered, stroking down her belly with her hand, But not in this Road, Sir.*

89. *There was in Oxford a cowardly fellow that was a very good Archer, he was abused grossly by another, and moaned himself to Sir Walter Raleigh, then a Scholar, and asked his advice, what he should do to repair the wrong had been offered him; Raleigh answered; Why challenge him at a match of shooting.*

90. *Whitehead* a grave Divine was much esteemed by *Queen Elizabeth*, but not preferred, because he was against the Government of Bishops, he was of a blunt Stoical nature; he came one day to the Queen, and the Queen happened to say to him, *I like thee the better Whitehead, because thou livest unmarried.* He answered, *In troth Madam, I like you the worse for the same cause.*

91. Doctor *Lund* said, that some Hypocrites and seeming mortified men, that held down their heads like bulrushes, were like the little Images that they place in the very bowing of the vaults of Churches, that look as if they held up the Church, but are but Puppets.

92. A Noble man of this Nation, famously known for his mad tricks, on a time having taken Physick, which he perceiving that it began well to work, called up his man to go for a Surgeon presently, and to bring his instruments with him: the Surgeon comes in all speed; to whom my Lord related, that he found himself much addicted to Women, and therefore it was his will, that the cause of it might be taken away, and therefore commanded him forthwith to prepare his instruments ready for to geld him; so the Surgeon forthwith prepares accordingly, and my Lord told him that he would not see it done, and therefore that he should do his work the back way, so both parties being contented, my Lord makes ready, and holds up his A-- and when he perceives the Surgeon very near him, he lets flye full in his face, which made the Surgeon step back, but coming presently on again; *Hold, hold,* saith my Lord, *I will better consider of it. for I see the retentive faculty is very weak at the approach of such keen instruments.*

93. The Lord *Henry Howard*, being Lord Privy Seal, was ask'd by the King openly at the Table, where commonly he entertained the King upon the sudden: My Lord, have you not a desire to see *Rome*? My Lord Privy Seal answered, yes indeed Sir. The King said, and why? My Lord answered, because, and please your Majesty, it was once the Seat of the greatest Monarchy, and the Seminary of the bravest men in the world amongst the Heathen; and then again, because it was the See of so many holy Bishops in the Primitive Church, most of them Martyrs. The King would not give it over, but said, and for nothing else? My Lord answered, *Yes, and it please your Majesty, for two things especially, the one to see him who they say hath such a power to forgive other mens sins, confess his own sins upon his knees before a Chaplain or Priest, and the other is to hear Antichrist say his Creed.*

94. There was a curst Page that his Master whipt naked, and when he had been whipt, would not put on his cloaths, and when his Master bad him, *Take them you, for they are the Hangmans Fees.*

95. There was a Lady of the West Country, that gave great entertainment at her house to most of the gallant Gentlemen thereabouts, and amongst others, Sir *Walter Raleigh* was one; this Lady, though otherwise a stately Dame, was a notable good house-wife, and in the morning betimes, she called to one of her Maids that lookt to the Swine, and asked, are the Pigs served? Sir *Walter Raleighs* chamber was fast by the Ladies, so as he heard her; a little before dinner, the Lady came down in great state into the great Chamber, which was full of Gentlemen, and as soon as Sir *Walter Raleigh* set eye upon her, *Madam,* saith he, *Are the Pigs served?* The Lady answered, *You know best, whether you have had your breakfast.*

96. There were Fishermen drawing the River at Chelsey, Mr. Bacon came thither by chance in the After-noon, and offered to buy their Draught: they were willing. He asked them *what they would take?* They asked *Thirty Shillings.* Mr. Bacon offered them *Ten:* They refused it. *Why then saith Mr. Bacon, I will be only a looker on.* They drew and caught nothing. *Saith Mr. Bacon, are not you mad fellows now that might have had an Angel in your purse, to have made merry withal, and to have warmed you thoroughly, and now you must go home with nothing.* *I but saith the Fisherman, we had hope then to make a better gain of it.* *Saith Mr. Bacon well my Master, then Ile tell you; hope is a good Breakfast, but it is a bad Supper.*

97. A Lady walking with Mr. Bacon in Grays-Inne Walks, asked him *whose that piece of ground lying next under the walls was?* He answered, *Theirs.* Then she asked him, *if those Fields beyond the Walks were theirs too?* He answered, *Tes Madam, those are ours, as you are ours, to look on, and no more.*

98. His Lordship, when he was newly made Lord-Keeper, was in Grays-Inne Walks with Sir Walter Rawleigh; One came and told him that the Earl of Exeter was above. He continued upon occasion still walking a good while. At last when he came up, my Lord of Exeter met him, and said; *My Lord I have made a great venture to come up so high stairs, being a gowty man.* His Lordship answered, *pardon me my Lord; I have made the greatest Venture of all; For I have ventured upon your Patience.*

99. When Sir Francis Bacon was made the Kings Attorney, Sir Edward Cook was put up from being Lord chief Justice, of the Common Pleas, to be Lord chief Justice of the Kings Bench; which is a place of greater Honour but of less profit; And withal was made Privy Counsellor. After a few days, the Lord Cook meeting with the Kings Attorney, said unto him; *Mr. Attorney, this is all your doing; It is you that have made this stir.* Mr. Attorney answered; *Ah my Lord! your Lordship all this while hath grown in Eredth; You must needs now grow in Heighth, or else you would be a Monster.*

100. One day Queen Elizabeth told Mr. Bacon, that my Lord of Essex, after great Protestation of Penitence, and affection fell in the end, but upon the Suit of renewing his Farm, of Sweet Wines: He answered; *I read that in Nature, there be two kinds of Motions or Appetites in Sympathy; The one as of Iron, to the Adamant for perfection; The other as of the Vine, to the Stake for sustentation, That her Majesty was the one, and his Suit the other.*

101. Mr. Bacon after he had been vehement in Parliament, against Depopulation and Enclosures; And that soon after the Queen told him, that she had referred the hearing of Mr. Aills Cause, to certain Counsellors and Judges; and asked him how he liked of it? Answered; *Oh Madam! my Mind is known; I am against all enclosures, and especially against enclosed Justice.*

102. When Sir Nicholas Bacon the Lord Keeper lived, every Room in Gorhambury was served with a Pipe of Water from the Ponds, distant about a Mile off. In the life-time of Mr. Anthony Bacon, the Water ceased. After whose death, his Lordship coming to the Inheritance, could not recover the Water without infinite charge: When he

was Lord Chancellor, he built *Verulam House*, close by the Pond-yard, for a place of privacy when he was called upon, to dispatch any urgent business: And being asked, *Why he built that House there*, His Lordship answered; *that since he could not carry the Water to his House, He would carry his House to the Water.*

103. When my Lord President of the Council came first to be Lord Treasurer, he complained to my Lord Chancellor of the troublesomeness of the place, for that the Exchequer was so empty. The Lord Chancellor answered; *My Lord, be of good cheer, for now you shall see the bottom of your business at the first.*

104. When his Lordship was newly advanced to the Great Seal, Gondomar came to visit him: My Lord said; *That he was to thank God and the King for that Honour; But yet, so he might be rid of the burthen, he could very willingly forbear the Honour.* And that he formerly had a desire, and the same continued with him still, to lead a private life, Gondomar answered, *That he would tell him a Tale, of an old Rat that would needs leave the World: And acquainted the young Rats, that he would retire into his Hole, and spend his days solitarily; and would enjoy no more comfort: and commanded them upon his high displeasure, not to offer to come in unto him. They forbore two or three days; At last, one that was more hardy then the rest, incited some of his Fellows to go in with him, and he would venture to see how his Father did: For he might be dead. They went in, and found the old Rat sitting in the midst of a rich Parmizan Cheese. So he applied the Fable after his witty manner.*

105. Rablais tells a Tale of one that was very Fortunate in compounding differences. His Son undertook the said Course, but could never compound any. Whereupon he came to his Father, and asked him, *What art he had to reconcile Differences?* He answered; *He had no other but this; To watch when the two parties were much wearied, and their Hearts were too great to seek Reconcilement at one anothers Hands; Then to be a means betwixt them, and upon no other Terms.* After which the son went home, and prospered in the same undertakings.

106. Alonso Cartilio, was informed by his Steward of the greatness of his Expence, being such as he could not hold out therewith. The Bishop asked him, *wherein it chiefly arose?* His Steward told him, *In the multitude of his Servants: The Bishop bad him to make him a Note of those that were necessary, and those that might be spared. Which he did. And the Bishop taking occasion to read it before most of his Servants, said to his Steward; Well, let these remain, because I have need of them; And these other also, because they have need of me.*

107. Mr. Marbury the Preacher would say; *That God was fain to do with wicked Men, as Men do with Frisking Jades in a pasture, that cannot take them up, till they get them at a Gate, So wicked Men, will not be taken up till the Hour of Death.*

108. Pope Xystus the fifth, who was a very poor Mans Son, and his Fathers House ill thatched, so that the sun came in in many places, would sport with his Ignobility, and say; *That he was, Nato di casa Illustre; Son of an Illustrious House.*

109. When the King of Spain conquered Portugal, he gave special charge to his Lieutenant, that the Souldiers should not spoil, lest he should alienate the Hearts of the People: The Army also suffered much scarcity of

of Victual. Whereupon the *Spanish Souldiers* would afterwards say; That they had won the King, a Kingdom on Earth; As the Kingdom of Heaven useth to be won; By Fasting and abstaining from that which is another Mans.

110. They feigned a Tale of *Sixtus Quintus*, whom they called *Size-Ace*; That after his Death he went to Hell, and the Porter of Hell said to him; You have some reason to offer your self to this place, because you were a wicked Man; but yet, because you were a Pope, I have order not to receive you. You have a place of your own, Purgatory, you may go thither. So he went away, and sought about a great while for Purgatory, and could find no such place. Upon that, he took heart and went to Heaven, and knocked; And St. Peter asked who was there? He said *Sixtus Pope*. Whereunto St. Peter said; why do you knock? you have the Keyes. *Sixtus* answered, It is true, but it is so long since they were given, as I doubt the wards of the lock be altered.

111. *Charles King of Swede*, a great Enemy of the *Jesuites*; when he took any of their Colledges, he would hang the old *Jesuites*, and put the young to his Mynes, saying; That since they wrought so hard above ground, he would try how they could work under ground.

112. In Chancery at one time, when the Counsel of the Parties set forth the Boundaries, of the Land in Question, by the Plot; And the Counsel of one part said; We lye on this side my Lord: And the Counsel of the other part said; And we lye on this side; The Lord Chancellor *Hatton* stood up and said; If you lye on both sides, whom will you have me to believe.

113. *Sir Edward Cook* was wont to say, when a great Man came to Dinner to him, and gave him no knowledge of his coming; Sir since you sent me no word of your coming, you must dine with me; But if I had known of it in due time, I would have dined with you.

114. *William, Earl of Pembroke*, upon the complaint made of a servant of his, layd a Citizen by the heels, thinking to bend him to his servants desire: But the Fellow being stubborn, the servant came to his Lord, and told him; Your Lordship I know has gone as farr as well you may, but it works not; For yonder fellow is more perverse then before. Said my Lord, let's forget him awhile, and then he will remember himself.

115. *Pope Julius* the 3d, when he was made Pope, gave his Hat unto a Youth, a Favourite of his, with great scandal. Whereupon, at one time a Cardinal that might be free with him, said modestly to him; What did your Holiness see in that young man, to make him Cardinal? *Julius* answered, What did you see in me, to make me Pope?

116. The same *Julius* upon like occasion of speech, why he should bear so great affection to the same young Man, would say; That he found by *Astrology*, that it was the Youths destiny, to be a great Prelate; which was impossible, except himself were Pope. And therefore that he did raise him, as the Driver on of his own Fortune.

117. *Sir Thomas Moor* had only Daughters at the first, And his Wife did ever pray for a Boy. At last she had a Boy, which being come to Mans Estate, proved but simple. *Sir Thomas* said to his Wife, Thou prayedst so long for a Boy, that he will be a Boy as long as he lives.

118. *Sir Fulk Grevil*, afterward Lord Brook, in Parliam. when the House of Commons in a great Business, stood much upon Precedents, said

unto them; *Why do you stand so much upon precedents? The Times hereafter will be good or bad. If good, precedents will do no harm; If bad, power will make away, where it finds none.*

119. Sir Tho. Moor, on the day that he was beheaded, had a Barber sent to him, because his Hair was long; which was thought, would make him more commiserated with the People. The Barber came to him, and asked him, *whether he would be pleased to be trim'd? In good faith honest Fellow, (said Sir Thomas,) the King and I, have a suit for my head; And till the Title be cleared, I will do no cost upon it.*

120. Stephen Gardner Bishop of Winchester, a great Champion of the Popish Religion, was wont to say of the Protestants, who ground upon the Scripture; *That they were like Posts, that bring Truth in their Letters, and lyes in their Mouths.*

121. The former Sir Thomas Moor had sent him by a Suiter in Chancery, two silver Flagons. When they were presented by the Gentlemen's Servant, he said to one of his Men, *Have him to the Cellar; and let him have of my best wine: And turning to the Servant, said; Tell thy Master if he like it, let him not spare it.*

122. Michael Angelo the famous Painter, painting in the Popes Chappel the Fourtraciture of Hell and damned Souls; Made one of the damned Souls so like a Cardinal that was his Enemy, as every body at first sight knew it. Whereupon the Cardinal complained to Pope Clement, humbly praying *It might be defaced? The Pope said unto him; Why, you know very well, I have power to deliver a Soul out of Purgatory, but not out of Hell.*

123. There was an Agent here for the Dutch, called Carroon; And when he used to move the Queen for further Succours, and more Men? My Lord Henry Howard would say; *That he agreed well with the Name of Charon, Ferry-Man of Hell; For he came still for more men, to encrease Regnum umbrarum.*

124. They were wont to call, Referring to the Masters in Chancery, *Committing.* My Lord Keeper Egerton, when he was Master of the Rolls, was wont to ask *What the Cause had done, that it should be committed.*

125. They feigned a Tale, principally against Doctors Reports, in the Chancery; That Sir Nicholas Bacon, when he came to Heaven-Gate was opposed, touching an unjust Decree which had been made in the Chancery. Sir Nicholas desired to see the Order, whereupon the Decree was drawn up; and finding it to begin *Veneris, &c.* Why, (saith he,) *I was then sitting in the Star-Chamber; This concerns the Master of the Rolls, let him answer it.* Soon after came the Master of the Rolls, Cordal; who died indeed a small time after Sir Nicholas Bacon; and he was likewise staid upon it: And looking into the Order, he found, that upon the reading of a Certificate of Doctor Gibson, it was Ordered, *that his Report should be decreed.* And so he put it upon Doctor Gibson, and there it stuck.

126. Sir Nicholas Bacon, when a certain nimble-witted Counsellor, at the Barr, who was forward to speak, did interrupt him often, said unto him; *There's a great difference betwixt you and me: A pain to me to speak, And a pain to you to hold your peace.*

127. The same Sir Nicholas Bacon, upon Bills exhibited to discover where Lands lay; upon proof that they had a certain Quantity of Land, but could not set it forth; was wont to say; *And if you cannot find your Land in the Countrey, how will you have me find it in the Chancery?*

128. Mr. Houland, in conference with a young student, arguing a Case, hapned to say, *I would ask you but this Question.* The Student presently interrupted him, to give him an Answer. Whereunto Mr Houland gravely said; *Nay, though I ask you a Question, yet I did not mean you should answer me, I mean to answer my self.*

129. Pope Adrian the sixth, was talking with the Duke of sesa, that Pasquil gave great scandal, and that he would have him thrown into the River: But Sesa answered; *Do it not Holy Father, for then he will turn Frogg; And whereas now he chants but by day, he will then chant both by day and by night.*

130. There was a Gentleman in Italy, that writ to a great Friend of his, whom the Pope had newly advanced to be Cardinal; *That he was very glad of his Advancement, for the Cardinals own sake; But he was sorry that himself had lost a good Friend.*

131. There was a King of Hungary, took a Bishop in Battel, and kept him Prisoner: Whereupon the Pope writ a Monitory to him; For that he had broken the priviledge of Holy Church, and taken his Son. The King sent an Embassage to him, and sent withal the Armour wherein the Bishop was taken, and this only in writing; *Vide num hæc sit Vestis Filii tui? Know now whether this be thy Sons Coat.*

132. Sir Amyas Pawlet, when he saw too much haste made in any matter, was wont to say; *Stay a while, that we may make an end the sooner.*

133. A Master of the Requests to Queen Elizabeth, had divers times moved for audience, and been put off. At last he came to the Queen in a Progres, and had on a new pair of Boots. The Queen who loved not the smell of new Leather, said to him; *Fye sloven, thy new Boots stink.* Madam said he, *it is not my new Boots that stink; But it is the stale Bills that I have kept so long.*

134. At an Act of the Commencement, the Answerer gave for his question, *That an Aristocracy was better then a Monarchy.* The Replyer, who was a dissolute man, did tax him that being a private bred man, he would give a question of State. The Answerer said that the Replyer did much wrong the priviledge of Scholars, who would be much streightened, if they should give questions of nothing, but such things wherein they are practised; and added *we have heard your self dispute of vertue, which no man will say you put much in practise.*

135. Queen Isabella of Spain, used to say; *whosoever hath a good presence, and a good fashion, carries continnal Letters of Recommendation.*

136. Alonso of Aragon was wont to say in commendation of Age, that Age appeared to be best in 4 things: *Old wood best to burn, Old Wine to drink, Old Friends to trust, and old Authors to read.*

137. It was said of Augustus, and afterward the like was said of Septimius Severus: Both which did infinite mischief in their beginnings, and infinite good toward their ends; *That they should either have never been born, or never died.*

138. Constantine the Great, in a kind of Envy, himself being a great ilder, as Trajan likewise was; would call Trajan Parietaria Wall-flower, because his name was upon so many Walls.

139. Alonso of Aragon, was want to say of himself, *That he was a great Necromancer, for that he used to ask Counsell of the dead: meaning of Books.*

140. *Ethelwold*, Bishop of *Winchester*, in a *Famine*, sold all the rich Vessels and Ornaments of the Church, to relieve the Poor with Bread; and said, *There was no reason that the Dead Temples of God should be sumptuously furnished; and the living Temples suffer penury.*

141. Many Men, especially such as affect gravity, have a manner after other mens speech to shake their heads. A great Officer of this Land would say, *It was as men shake a bottle, to see if there were any wit in their Heads or no?*

142. After a great Fight, there came to the Camp of *Consalvo* the great Captain, a Gentleman, proudly horsed and armed: *Diego de Mendoza*, asked the great Captain; *who's this?* who answered; *It is Saint Ermin, who never appears but after the storm.*

143. There was one that dyed greatly in Debt: when it was reported in some Company, where divers of his Creditors casually were, that he was dead; One began to say; *Well if he be gone, then he hath carried 500 Duckets of mine with him into the other world.* And another said; *and 200 of mine:* And a third spake of great sums of his. Whereupon one that was amongst them said; *I perceive now, that though a Man cannot carry any of his own with him, into the next world, yet he may carry away that which is another Mans.*

144. *Francis Carvajal*, that was the great Captain of the Rebels of *Pern*, had often given the Chace to *Diego Centeno*, a principal Commander of the Emperours party: He was afterwards taken by the Emperours Lieutenant, *Gasca*; And committed to the custody of *Diego Centeno*; who used him with all possible courtesie; insomuch as *Carvajal* asked him; *I pray Sir who are you that use me with this courtesie?* *Centeno* said; *Do you not know Diego Centeno?* *Carvajal* answered; *Truely Sir; I have been so used to see your back, as I knew not your Face.*

145. *Gondomar* would say, *Love without ends, hath no end:* Meaning, that if it were begun, not upon particular ends, it would last.

146. There was a Merchant died, that was very far in Debt, his goods and Householdstuffs were set forth to sale. A stranger would needs buy a pillow there, saying; *This pillow sure is good to sleep upon, since he could sleep that owed so many Debts.*

147. A Lover met his Lady in a close Chair, she thinking to have gone unknown, he came and spake to her: she asked him, *how did you know me?* he said, *Because my wounds bleed afresh;* Alluding to the common Tradition, that the wounds of a Body slain, will bleed afresh upon the approach of the murtherer.

148. A Gentleman brought Musick to his Ladies window. She hated him, and had warned him often away: And when he would not desist, she threw stones at him: whereupon a Gentleman said unto him that was in his company: *what greater Honour can you have to your Musick, then that stones come about you, as they did to Orpheus?*

149. *Coranus* the Spaniard, at a Table at Dinner, fell into an extolling of his own Father; saying, *If he could have wished of God, he could not have chosen amongst men a better Father,* *Sir Henry Savil* said, *what not Abraham?* Now *Coranus* was doubted to descend of a Race of Jews.

150. *Consalvo* would say, that the Honour of a souldier ought to be of a good strong Webb: meaning that it should not be so fine and curious, as for every small disgrace to catch and stick in it.

151. *Bresquet*, Jester to *Francis* the first of France, did keep a *Kalendar* of Fools, wherewith he did use to make the King sport; telling him ever the Reason, why he put any one into his *Kalendar*. When *Charles* the fifth Emperor, upon confidence of the noble nature of *Francis* passed through France, for the appeasing of the Rebellion of *Gaunt*, *Bresquet* put him into his *Kalendar*. The King asked him the cause? he answered; *Because you having suffered, at the hands of Charles, the greatest bitterness that ever Prince did from another, nevertheless he would trust his person into your hands. Why* *Bresquet*, said the King, *what wilt thou say, if thou seest him pass back in as great safety, as if he marched through the middest of Spain?* saith *Bresquet*; *why then I will put him out, and put in you.*

152. *Archbishop Grindall* was wont to say; *That the Physicians here in England, were not good, at the Cure of particular Diseases; but had only the power of the Church to bind and loose.*

153. *Cosmus* Duke of Florence was wont to say of perfidious Friends, *That we read, that we ought to forgive our Enemies; but we do not read that we ought our friends.*

154. A *Papist* being opposed by a *Protestant*, that they had no Scripture for Images answered, *yes; For you read, that the people laid their sick in the streets, that the shadow of Saint Peter might come upon them: and that a shadow was an Image, and the obscurest of all Images.*

155. *Sir Edward Dyer*; a grave and wise Gentleman, did much believe in *Kelley* the Alchymist; That he did indeed the work, and did make Gold, insomuch, that he went into Germany, where *Kelley* then was, to inform himself fully thereof. After his return he dined with my Lord of Canterbury: where, at that time, was at the Table, *Dr. Brown* the Physician. They fell in talk of *Kelley*. *Sir Edward Dyer* turning to the *Archbishop* said; *I do assure your Grace, that that I shall tell you is Truth: I am an eye-witness thereof; And if I had not seen it, I should not have believed it; I saw Mr. Kelley, put of the Base Metall into the Chry-sible; and after it was set a little upon the fire; and a very small quantity of the Medicine put in, and stirred with a stick of wood; It came forth in great proportion, perfect Gold; to the Touch, to the Hammer, and to the Test.* My Lord *Archbishop* said; *you had need take heed what you say, Sir Edward Dyer; for here is an Infidel at the Board.* *Sir Edward Dyer* said again pleasantly; *I should have looked for an Infidel sooner in any place, then at your Graces Table.* What say you *Dr. Brown*, said the *Archbishop*? *Dr. Brown* answered, after his blunt and hudling manner; *The Gentleman hath spoken enough for me.* Why, saith the *Archbishop*, what hath he said? Marry, saith *Dr. Brown*, he said, *He would not have believed it, except he had seen it; And no more will I.*

156. *Doctor Johnson* said; That in sickness there were three things that were material, the Physician, the Disease, and the Patients: And if any two of these joyned, then they get the victory; For, Ne, *Hercules quidem contra duos*. If the Physician and the Patient joyn, then down goest the Disease; For then the Patient recovers; if the Physician and the Disease joyn; that is a strong Disease; and Physician mistaking the cure, then down goes the Patient, if the Patient and the Disease joyn, then down goes the Physician, for he is discredited.

157. *Mr. Bettenham* said; *That vertuous men were like some herbs,*
and

and spices that give not out their sweet smell, tell they be broken or crushed.

158. The Lord Archbishop Laud said; That some Hypocrites and seeming mortified Men, which held down their heads, were like the little Images in the Vaults, or Roofs of Churches; which look and bow down, as if they held up the Church, when as they bear no weight at all.

159. There was a Painter became a Physician; whereupon one said to him; You have done well; for before the faults of your work were seen; but now they are unseen.

160. There was a Gentleman, that came to the Tilt, all in Orange Tawney, and ran very ill. The next day he came again, all in Green, and ran worse. There was one of the Lookers on, asked another; What is the reason that this Gentleman changeth his Colours? The other answered, sure, because it may be reported; That the Gentleman in the Green, ran worse than the Gentleman in the Orange-tawney.

161. Mr. Whitehead, a grave Divine, was much esteemed by Queen Elizabeth, but not preferred, because he was against the Government of Bishops. He came, one day, to the Queen, and the Queen chanted to say to him; I like thee the better, Whitehead, because thou livest Unmarried. He answered again; In troth, Madam, I like you the worse for the same cause.

162. Zelim was the first of the Ottomans, that did shave his Beard, whereas his Predecessors wore it long. One of his Bashaws askt him; Why he altered the Custom of his Predecessors? he answered, Because you Bashaws, may not lead me by the Beard, as you did them.

163. Aneas Sylvius, that was Pope Pius secundus, was wont to say; That the former Popes did wisely to set the Lawyers a work, to debate; Whether the Donation of Constantine the great, to Sylvester, of St. Peters Patrimony, were good or valid in Law or no? The better to skip over the Matter in Fact, whether there was ever any such thing at all, or no?

164. The Lord Bishop Andrews, was asked at his first coming over of the Archbishop of Spalato, whether he were a Protestant or no? he answered; Truly, I know not; But I think he is a Detestant; That was, of most of the Opinions of Rome.

165. It was said amongst some of the grave Prelates of the Counsel of Trent, in which the School-Divines bare the sway; That the School-men were like the Astronomers, who to save the Phenomena, framed to their conceit; Eccentrics, and Epicycles, and a wonderful Engine of Orbes; Though no such things were: so they to save the practise of the Church, had devised a great number of strange positions.

166. Aneas Sylvius would say; that the Christian Faith, and Law, though it had not been confirmed by Miracles, yet was worthy to be received for the Honesty thereof.

167. Mr. Bacon would say; that it was in his Business, as it is frequently in ways: That the next way, is commonly the foulest; And that if a man will go the fairest way, he must go somewhat about.

168. Mr. Bettenham, Reader of Graies-Inne, used to say; That Riches were like muck; when it lay upon an heap, it gave but a stench and ill Odour; but when it was spread upon the ground, then it was cause of much Fruit.

169. Cicero married his Daughter to Dolabella, that held Cæsars party: Pompey had married Julia, that was Cæsars Daughter. After, when Cæsar and

and Pompey took Arms one against the other; And Pompey had passed the Seas, and Caesar possessed Italy; Cicero staid somewhat long in Italy; but at last sayled over to joyn with Pompey. Who when he came to him, Pompey said, *you are welcome, but where left you your Son-in-Law?* Cicero answered, *with your Father-in-Law.*

170. *Vespasian*, and *Titus* his eldest Son, were both absent from Rome, when the Empire was cast upon *Vespasian*; *Domitian* his younger Son was at Rome, who took upon him the Affairs; and being of a Turbulent spirit, made many changes; and displaced divers Officers and Governours of Provinces, sending them Successors. So when *Vespasian* returned to Rome, And *Domitian* came into his presence, *Vespasian* said to him; *Son I looked when you would have sent me a Successor.*

171. *Nero* loved a beautiful Youth, whom he used vitiously, and called him *Wife*. There was a Senator of Rome, that said secretly to his Friend, *It was pity Nero's Father had not such a Wife.*

172. *Galba* succeeded *Nero*, and his Age being despised, there was much License and Confusion in Rome, during his Empire: whereupon a Senator said in full Senate; *It were better to live where nothing is Lawful, than where all things are Lawful.*

173. *Augustus Caesar* did write to *Livia*, who was over-sensible of some ill words, that had been spoken of them both: *Let it not trouble thee, my Livia, if any Man speak ill of us; for we have enough that no man can do ill unto us.*

174. *Chilon* said, that Kings Friends, and Favourites, were like casting Counters; That sometimes stood for one, sometimes for ten, sometimes for an Hundred.

175. *Theodosius*, when he was pressed by a Suitor, and denied him, The Suitor said; *Why, Sir, you promised it.* He answered; *I said it, but I did not promise it, if it be unjust.*

176. The Romans, when they spake to the People, were wont to stile them, ye Romans: When Commanders in War spake to their Army, they stiled them my Souldiers. There was a Mutiny in *Caesars* Army, and somewhat the Souldiers would have had, but they would not declare themselves in it, But only demanded a *Mission* or *Discharge*; Though with no intention it should be granted: But knowing, that *Caesar* had at that time great need of their service, thought by that means to wrench him to their other desires: whereupon, with one Cry, they asked *Mission*. *Caesar* after silence made, said; *I for my part ye Romans, this Title did actually speak them to be dismissed: which voice they had no sooner heard, but they mutinied again; and would not suffer him to go on with his speech, until he had called them by the Name of his Souldiers, and so, with that one word he appeased the Sedition.*

177. *Caesar* would say of *Sylla*, for that he did resign his Dictatorship; *Sylla was ignorant of Letters he could not dictate.*

178. *Seneca* said of *Caesar*; *That he did quickly shew the Sword, but never leave it off.*

179. *Diogenes* begging, as divers Philosophers then used, did beg more of a Prodigal Man, than of the Rest which were present. Whereupon one said to him: *See your Baseness, that when you find a liberal Mind, you will take most of him:* No, said *Diogenes*, *but I mean to beg of the Rest again.*

180. *Themistocles*, when an *Embassadour* from a mean estate, did speak great matters; said to him, *friend thy words would require a City.*

181. *Iphicrates* the *Athenian*, in a Treaty that he had with the *Lacedemonians* for peace; And that *Question* was made about security, for observing the same peace, said; the *Athenians* would not accept of any security, except the *Lacedemonians* do yield up unto them, those things, whereby it might be manifest, that they could not hurt them, though they would.

182. They would say of the *Duke of Guise*, *Henry*; That he was the greatest *Usurer* in *France*, for that he had turned all his *Estate* into *Obligations*. Meaning; That he had sold, and oppigenerated all his *Patrimony*, to give large donatives to other men.

183. *Cesar Borgia*, after long Division between him and the *Lords* of *Romagna*, fell to accord with them. In this Accord there was an *Article*, that he should not call them at any time, all together in person. The meaning was, that knowing his dangerous Nature, if he meant them *Treason*, he might have opportunity to oppress them altogether at once. Nevertheless, he used such fine Art, and fair Carriage, that he won their Confidence to meet altogether in Counsel at *Cinigalia*; where he murdered them all. This *Act*, when it was related unto *Pope Alexander*, his Father, by a *Cardinal*, as a Thing Happy, but very *Perfidious*; The *Pope* said; It was they that broke their Covenant first, in coming all together.

184. *Titus Quinctius*, was in the Counsel of the *Achaians*, what time they deliberated, whether in the War, then to follow, between the *Romans*, and *King Antiochus*, they should confederate themselves with the *Romans*, or with *King Antiochus*? In that Counsel the *Aetolians*, who incited the *Achaians* against the *Romans*, to disable their Forces, gave great words, as if the late victory the *Romans* had obtained against *Philip* King of *Macedon*, had been chiefly by the strength and Forces of the *Aetolians* themselves: And on the other side the *Embassadour* of *Antiochus*, did extol the Forces of his Master; sounding what an innumerable Company, he brought in his Army; And gave the Nations strange Names; As *Elymeans*, *Caducians*, and others. After both their Harangues, *Titus Quinctius*, when he rose up said; It was an easy Matter to perceive what it was, that had joyned, *Antiochus*, and the *Aetolians* together; That it appeared to be by reciprocal lying of each, touching the others Forces.

185. *Plato* was amorous of a young Gentleman, whose Name was *Stella*, that studied *Astronomy*; and went oft in the clear Nights to look upon the stars. Whereupon *Plato* wished himself Heavens, that he might look upon *Stella* with a thousand eyes.

186. The *Lacedemonians* were besieged by the *Athenians*, in the Port of *Peile*, which was won, and some slain, and some taken. There was one said, to one of them, that was taken by way of scorn; Were they not brave Men that lost their lives at the Port of *Peile*? He answered; Certainly, a *Persian Arrow* is much to be set by, if it can chuse out a brave Man.

187. *Clodius* was acquit by a corrupt Jury, that had palpably taken shares of Money, before they gave up their Verdict; they prayed of the Senate a Guard; that they might do their Consciences, for that *Clodius* was a very seditious young Nobleman. Whereupon all the World gave him

him for *Condemned*. But acquitted he was: *Catulus*, the next day seeing some of them that had acquitted him, together, said to them; *What made you ask of us a Guard? Were you afraid your money should have been taken from you.*

188. At the same Judgment, *Cicero* gave in Evidence upon Oath: And when the Jury which consisted of 57. had passed against his Evidence, one day in the Senate *Cicero* and *Clodius* being in Altercation, *Clodius* upbraided him, and said; *The Jury gave you no credit: Cicero* answered, *Five and Twenty gave me credit; But there were two and thirty that gave you no credit; For they had their money beforehand.*

189. Sir Henry Savil was asked by my Lord of Essex, his opinion touching Poets? He answered my Lord; *That he thought them the best Writers, next to them that writ Prose.*

190. *Diogenes* having seen that the Kingdom of *Macedon*, which before was contemptible and low, began to come aloft when he dyed, was asked, *How he would be buried?* He answered; *With my Face downward: For within a while, the World will be turned upside down, and then I shall lye right.*

191. *Cato* the Elder was wont to say; *That the Romans were like sheep; A Man were better to drive a flock of them, than one of them.*

192. When *Lycurgus* was to reform and alter the State of *Sparta*; In Consultation one advised that it should be reduced to an absolute Popular Equality: But *Lycurgus* said to him; *Sir begin it in your own House.*

193. *Bion* that was an Atheist, was shewed in a Port-City, in a Temple of *Neptune*, many Tables of Pictures, of such as had in Tempests made their Vows to *Neptune*, and were saved from shipwrack: and was askt, *How say you now? Do you not acknowledge the power of the Gods?* But said he; *I but where are they painted, that have been drowned after their Vows.*

194. *Cicero* was at Dinner, where there was an ancient Lady that spake of her own years, and said; *She was but forty years old.* One that sat by *Cicero*, rounded him in the ear, and said; *She talks of forty year old; But she is far more out of question, Cicero* answered him again; *I must beleieve her, for I have heard her say so, any time these ten years.*

195. There was a Souldier that vaunted before *Julius Caesar*, of the Hurts he had received in his Face. *Julius Caesar* knowing him to be but a Coward, told him; *you were best take heed, next time you run away, how you look back.*

196. There was a Suitor to *Vespasian*, who to lay his suit fairer, said it was for his Brother; Whereas indeed it was for a piece of Money. Some about *Vespasian* told the Emperour, to cross him; That the party his Servant spake for, was not his Brother; but that he did it upon a Bargain. *Vespasian* sent for the party interessed, and asked him; *Whether his Mean employed by him was his Brother or no?* He durst not tell untruth to the Emperour, and confessed He was not his Brother. Whereupon the Emperour said, *This do, fetch me the Money, and you shall have your Suit dispatched.* Which he did. The Courtier which was the Mean, solicited *Vespasian* soon after about his Suit: *Why, (saith Vespasian,) I gave it last day, to a Brother of mine.*

197. *Vespasian* asked of *Apollonius*; *What was the cause of Nero's Ruine?* Who answered, *Nero could tune the Harp well, but in Government he did all ways wind up the strings too high; or let them down too low.*

198. *Dionysius* the Tyrant, after he was deposed, and brought to *Corinth*, kept a school. Many used to visit him; And amongst others, one when he came in, opened his *Mantle* and shook his *Cloaths*; Thinking to give *Dionysius* a gentle scorn; because it was the manner to do so, for them that came in to see him while he was Tyrant. But *Dionysius* said to him; *I prethee do so, rather when thou goest out, that we may see thou stealest nothing away.*

199. *Diogenes* one terrible frosty Morning, came into the *Market-place*, and stood Naked, shaking, to shew his *Tolerance*. Many of the People came about him, pitying him: *Plato* passing by and knowing he did it to be seen, said to the People as he went by; *If you pity him indeed let him alone to himself.*

200. *Aristippus* was earnest Suitor to *Dionysius* for some Grant, who would give no care to his Suite. *Aristippus* fell at his feet, and then *Dionysius* granted it. One that stood by, said afterwards to *Aristippus*; *You a Philosopher and be so base as to throw your self at the Tyrants Feet to get a Suite: Aristippus answered; The fault is not mine, but the fault is in Dionysius that carries his Ears in his Feet.*

201. *Solon* when he wept for his Sons death, and one said to him; *Weeping will not help*, answered; *Alas therefore I weep, because weeping will not help.*

202. The same *Solon* being asked; *Whether he had given the Athenians the best Laws?* answered; *The best of those that they would have received.*

203. One said to *Aristippus*, *'Tis a strange thing, why should men rather give to the Poor than to Philosophers:* He answered, *because they think themselves may sooner come to be poor, than to be Philosophers.*

204. *Trajan* would say of the vain Jealousie of Princes, that seek to make away those that aspire to their succession; *That there was never King, that did put to death his Successor.*

205. When it was represented to *Alexander*, to the advantage of *Antipater*, who was a stern and Imperious Man; *That he only of all his Lieutenants, wore no Purple, but kept the Macedonian habit of black;* *Alexander* said yea, but *Antipater* is all Purple within.

206. *Alexander* used to say of his two Friends, *Craterus* and *Ephestion*; *That Ephestion loved Alexander, and Craterus loved the King.*

207. It fell out so, that as *Livia* went abroad in *Rome*, there met her naked young men that were sporting in the streets; which *Augustus* went about severely to punish in them: But *Livia* spake for them, and said; *It was no more to chaste Women, then so many Statua's.*

208. *Philip* of *Macedon* was wished to banish one, for speaking ill of him: But *Philip* answered; *Better he speak where we are both known, then where we are both unknown.*

209. *Lucullus* entertained *Pompey* in one of his Magnificent Houses: *Pompey* said, *This is a marvellous Fair, and stately House for the Summer; but methinks it should be very cold for Winter:* *Lucullus* answered; *Do you not think me as wise as divers Fools are, to change my habitation in the winter season.*

210. *Plato* entertained some of his Friends at a Dinner, and had in the Chamber, a Bed or Couch neatly and costly furnished. *Diogenes* came in, and got up upon the Bed, and trampled it, saying, *I trample upon the pride of Plato;* *Plato* mildly answered; *but with greater pride Diogenes.*

211. *Pompey*

211. Pompey being Commissioner for sending Grain to Rome, in time of Dearth, When he came to the Sea, found it very tempestuous and dangerous; Infomuch as those about him, advised him by no means to embarque; but Pompey said; *It is of necessity that I go, not that I live.*

212. Demosthenes was upbraided by Æschines, That his speeches did smell of the Lamp. But Demosthenes said; *Indeed there is a great deal of difference between that which you and I do by Lamp-light.*

213. Demades the Oratour, in his Age was talkative, and would eat hard: Antipater would say of him; *That he was like a Sacrifice, that nothing was left of it but the Tongue and the Paunch.*

214. Themistocles after he was banished, and had wrought himself into great favour, afterwards, so that he was honoured, and sumptuously served, seeing his present Glory said unto one of his Friends; *If I had not been undone, I had been undone.*

215. Philo Judæus saith, *That the sense is like the Sun; For the Sun seals up the Globe of Heaven, and opens the Globe of Earth: So the sense doth obscure Heavenly things, and reveals Earthly things.*

216. Alexander after the Battel of Granicum, had very great Offers made him by Darius: Consulting with his Captains concerning them, Parmenio said; *Sure I would except of these offers, if I were as Alexander: Alexander answered; so would I, if I were as Parmenio.*

217. Alexander was wont to say, *He knew himself to be mortal, chiefly by two things; Sleep, and Lust.*

218. Augustus Cæsar would say; *That he wondred that Alexander feared he should want work, having no more worlds to conquer: As if it were not as hard a matter to keep as to conquer.*

219. Antigonus when it was told him that the Enemy had such Volleys of Arrows that they did hide the sun, said; *That falls out well, for it is hot weather, and so we shall fight in the shade.*

220. Cato the Elder being aged, buried his Wife, and married a young woman. His Son came to him, and said; *Sir what have I offended, that you have brought a Step-mother into your house?* The old man answered; *Nay, quite contrary Son; Thou pleasest me so well, as I would be glad to have more such.*

221. Crassus the Oratour had a Fish which the Romans called Murena, that he made very tame and fond of him; The Fish died, and Crassus wept for it. One day falling in contention with Domitius in the Senate, Domitius said, *Foolish Crassus, you wept for your Murena. Crassus replied, That's more then you did for both your Wives.*

222. Philip, Alexanders Father, gave Sentence against a Prisoner, what time he was drowsy, and seemed to give small attention. The Prisoner, after sentence was pronounced, said, *I appeal.* The King somewhat stirred, said; *To whom do you appeal?* The Prisoner answered; *From Philip when he gave no ear, to Philip when he shall give ear.*

223. There was a Philosopher that disputed with Adrian the Emperour, and did it but weakly. One of his Friends that stood by, afterwards said unto him: *Methinks you were not like your self last day, in Argument with the Emperour; I could have answered better my self: Why said the Philosopher; Would you have me contend with him, that commands thirty Legions?*

224. When

224. When *Alexander* passed into *Asia*, he gave large *Donatives* to his *Captains*, and other principal Men of *Vertue*; insomuch as *Parnenio* asked him; *Sir, what do you keep for yourself?* he answered, *Hope*.

225. *Vespasian* set a *Tribute* upon *Urine*: *Titus* his son emboldened himself to speak to his *Father* of it: And represented it as a thing indigne and sordid. *Vespasian* said nothing, for the time; but a while after, when it was forgotten, sent for a piece of *Silver* out of the *Tribute-money*; And called to his Son, bidding him to smell to it; and asked him, whether he found any offence? who said, *No*: *Why so*, saith *Vespasian* again; *Yet this comes out of Urine*.

226. *Nerva*, the *Emperour*, succeeded *Domitian*, who had been *Tyrannical*; and in his time many *Noble Houses* were overthrown by false *Accusations*; The *Instruments* whereof were chiefly, *Marcellus* and *Regulus*. The *Emperour Nerva* one night sup'd privately with some six or seven: Amongst which there was one that was a dangerous Man; and began to take the like courses, as *Marcellus* and *Regulus* had done. The *Emperour* fell into *Discourse* of the *Injustice* and *Tyranny* of the former *Time*; And by Name, of the two *Accusers*; And said; *What should we do with them, if we had them now?* One of them that was at *Supper*, and was a free-spoken *Senatour*, said; *Marry, they should sup with us*.

227. There was one that found a great *Mass* of *Money* digged under ground in his *Grand-fathers-House*; And being somewhat doubtful of the *Case*, signified it to the *Emperour*, that he had found such *Treasure*. The *Emperour* made a *Rescript* thus; *Use it*. He writ back again; That the *summe* was greater then his *Estate* or *Condition* could use. The *Emperour* writ a new *Rescript*, thus; *Abuse it*.

228. *Julius Caesar*, as he passed by, was by *Acclamation* of some that stood in the way, termed *King*; to try how the *People* would take it. The *People* shewed great murmure and distaste at it. *Caesar* finding where the wind stood, slighted it, and said; *I am not King, but Caesar*: As if they had mistaken his Name. For *Rex* was a surname amongst the *Romans*, as *King* is with us.

229. When *Craesus*, for his glory, shewed *Solon* his great *Treasures* of *Gold*; *Solon* said to him; *If another King come that hath better iron than you, he will be master of all this Gold*.

230. *Aristippus* being reprehended of *Luxury*, by one that was not rich; for that he gave *six Crowns* for a small *Fish*; answered, *Why, what would you have given?* The other said, some *Twelve pence*. *Aristippus* said again; *And six Crowns is no more with me*.

231. *Plato* reprehended severely a young man, for entring into a dissolute house. The young man said to him; *why do you reprehend so sharply for so small a matter?* *Plato* replied, *But custom is no small matter*.

232. *Archidamus*, King of *Lacedemon*, having received from *Philip*, King of *Macedon* (After *Philip* had won the victory of *Cheronea*, upon the *Athenians*) proud *Letters*, writ back to him; That if he measured his own shadow, he would find it no longer then it was before his victory.

233. *Pyrhus*, when his Friends congratulated to him his victory over the *Romans*, under the Conduct of *Fabritius*, but with great slaughter of his own side, said to them again; *yes, but if we have such another victory, we are undone*.

234. Plato was wont to say of his Master Socrates; That he was like the Apothecaries Galley-Pots; that had on the out-side Apes, and Owls, and Satyrs; but within precious Drugs.

235. Alexander sent to Phocyon a great Present of Money. Phocyon said to the Messenger; Why doth the King send to me, and to none else? The Messenger answered, Because he takes you to be the only good man in Athens. Phocyon replied; If he think so, pray let him suffer me to be so still.

236. At a Banquet, where those that were called the seven Wise men of Greece, were invited by the Embassadour of a Barbarous King; The Embassadour related; That there was a Neighbour mightier then his Master, pite quarrels with him, by making impossible Demands, otherwise threatening War, and now at that present had demanded of him, to drink up the Sea. Whereunto one of the wise men said, I would have him undertake it. Why, saith the Embassadour, how shall he come off? Thus, (saith the Wise man) let that King first stop the Rivers, which run into the Sea; which are no part of the bargain; and then your Master will perform it.

237. At the same Banquet, the Embassadour desired the seven, and some other wise men that were at the Banquet, to deliver every one of them some sentence or Parable, that he might report to his King the the wisdom of Grecia, which they did: only one was silent: which the Embassadour perceiving, said to him; Sir, let it not displease you; why do not you say somewhat, that I may report? he answered, Report to your Lord, that there are of the Grecians that can hold their peace.

238. The Lacedemonians had in custom to speak very short, which being an Empire, they might do at pleasure: but after their Defeat at Leuctra, in an Assembly of the Grecians, they made a long Invektive against Epaminondas; Who stood up, and said no more but this; I am glad we have brought you to speak long.

239. Fabius Maximus being resolved to draw the War in length, still waited upon Hannibals progress to curb him: And for that purpose he encamped upon the High Ground: But Terentius his Colleague, fought with Hannibal, and was in great peril of overthrow; But then Fabius came down from the High Grounds, and got the day. Whereupon Hannibal said; That he did ever think that that same cloud that hanged upon the Hills, would at one time or other give a Tempest.

240. Hanno the Carthaginian, was sent Commissioner by the State, after the second Carthaginian War, to supplicate for Peace; And in the end obtain'd it: yet one of the sharper Senators said; you have often broken with us the Peaces, whereunto you have been sworn; I pray, by what God will you swear? Hanno answered; by the same gods that have punished the former perjury so severely.

241. Caesar when he first possessed Rome, Pompey being fled, offered to enter the sacred Treasury to take the Moneys that were there stored: And Metellus, Tribune of the People, did forbid him; And when Metellus was violent in it, and would not desist; Caesar turned to him, and said; Presume no further, or I will lay you dead. And when Metellus was with those words somewhat astonished, Caesar added; Young man, it had been easier for me to do this, than to speak it.

242. Caius

242. *Cains Marius*, was General of the *Romans* against the *Cimbers*, who came with such a Sea of People upon *Italy*. In the fight there was a Band of the *Cadurcians* of a thousand, that did notable service; whereupon, after the Fight, *Marius* did denison them all for *Citizens* of *Rome*, though there was no Law to warrant it. One of his *Friends* did present it unto him; That he had transgressed the Law, because that privilege was not to be granted but by the people. Whereunto *Marius* answered; That for the noise of *Arms* he could not hear the *Laws*.

243. *Pompey* did consummate the War against *Sertorius*, when *Metellus* had brought the Enemy somewhat low. He did also consummate the War against the *Fugitives*, whom *Crassus* had before defeated in a great Battel. So when *Lucullus* had had great and glorious *Victories* against *Mithridates* and *Tigranes*; yet *Pompey* by means his friends made, was sent to put an end to that War. Whereupon *Lucullus* taking indignation, as a disgrace offered to himself, said; That *Pompey* was a *Carion Crow*, when others had stricken down the bodies, then *Pompey* came and preyed upon them.

244. *Antisthenes* being asked of one what learning was most necessary for mans life? Answered, To unlearn that which is nought.

245. *Alexander* visited *Diogenes* in his Tub; And when he asked him, what he would desire of him? *Diogenes* answered; That you would stand a little aside, that the *Sun* may come to me.

246. The same *Diogenes*, when *Mice* came about him, as he was eating, said; I see, that even *Diogenes* nourisheth *Parasites*.

247. *Hiero* visited by *Pythagoras*, askt him; Of what condition he was? *Pythagoras* answered; Sir, I know you have been at the *Olympian Games*: yes, saith *Hiero*. Thither (saith *Pythagoras*) come some to win the prizes. Some come to sell their *Merchandize*; because it is a kind of *Mart* of all *Greece*. Some come to meet their *Friends* and to make merry; Because of the great confluence of all sorts. Others come only to look on. I am one of them that come to look on; meaning it, of *Philosophy*, and the contemplative life.

248. *Heraclitus* the obscure said; The dry light is the best Soul: meaning when the faculties intellectual are in vigour; not drenched, or as it were, blounded by the affections.

249. One of the *Philosophers* was asked; what a wise man differed from a fool? He answered, send them both Naked to those that know them not, and you shall perceive.

250. There was a Law made by the *Romans*, against the *Bribery* and *Extortion* of the *Governours* of *Provinces*. *Cicero* saith in a speech of his to the People; That he thought the *Provinces* would Petition to the State of *Rome* to have that Law repealed. For (saith he) before the *Governours* did bribe and extort, as much as was sufficient for themselves: But now they bribe and extort as much, as may be enough, not only for themselves, but for the *Judges*, and *Jurors*, and *Magistrates*.

251. *Aristippus* sayling in a Tempest, shewed signs of fear. One of the *Seamen* said to him, in an insulting manner; We that are *Plebeians*, are not troubled; you that are a *Philosopher*, are afraid. *Aristippus* answered; That there is not the like wager upon it, for you to perish and for me.

252. There was an *Orator*, that defended a cause of *Aristippus*, and prevailed. Afterwards, he asked *Aristippus*; Now, in your distress, wha

what did Socrates do you good? Aristippus answered, Thus, in making that which you said of me to be true.

253. There was an Epicurean vaunted, that divers of other Sects of Philosophers did after turn Epicureans; But there was never any Epicurean that turned to any other Sect. Whereupon a Philosopher that was of another Sect, said; The reason was plain, for that Cocks may be made Capons; but Capons could never be made Cocks.

254. Chilon would say: That Gold was tryed with the touchstone; and men with Gold.

255. Simonides being askt of Hiero what he thought of God? asked a seven-nights time to consider of it: And at the seven-nights end, he asked a Fort-nights time: At the Fort-nights end, a Moneth. At which Hiero marvelling, Simonides answered; That the longer he thought upon the matter, the more difficult he found it.

256. Socrates, when there was shewed unto him the Book of Heraclitus the obscure; And was asked his opinion of it; answered, Those things that I understood, were excellent; I imagine, so were those that I understood not; But they require a Diver of Delos.

257. Socrates was pronounced by the Oracle of Delphos, to be the wisest man of Greece; which he would put from himself, In modesty, saying; There could be nothing in himself to verifie the Oracle except this; That he was not wise, and knew it; And others were not wise, and knew it not.

258. A Spaniard was censuring to a French Gentleman the want of Devotion, amongst the French; In that, whereas in Spain, when the Sacrament goes to the sick, any that meets with it, turns back and waits upon it to the house whether it goes; But in France, they only do Reverence, and pass by. But the French Gentleman answered him; There is reason for it; For here with us, Christ is secure amongst his Friends; But in Spain there be so many Jews, and Marano's, that it is not amiss for him to have a Convoy.

259. Mr. Popham, (afterwards Lord chief Justice Popham) when he was Speaker; And the House of Commons had sate long and done, in effect nothing; coming one day to Queen Elizabeth, she said to him; Now Mr. Speaker; what hath passed in the Commons House? He answered, If it please your Majesty seven weeks.

260. Agathocles, after he had taken Syracuse, the men whereof during the siege, had in a bravery spoken of him, all the Villany that might be; sold the Syracusans for slaves, and said; Now if you use such words of me, I will tell your Masters of you.

261. Themistocles, in his lower Fortune, was in love with a young gentleman who scorned him; but when he grew to his Greatness, which was soon after he sought him; Themistocles said; We are both grown wise, but too late.

262. Bion was sailing, and there fell out a great Tempest; and the Mariners that were wicked and dissolute fellows, called upon the Gods; but Bion said to them, peace, let them not know you are here.

263. The Turks made an expedition into Persia; and because of the strait Jams of the Mountains of Armenia, the Basbaws consulted which way they should get in? One that heard the Debate said; here's much ado how you shall get in; but I hear nobody take care how you should get out.

264. Philip King of Macedon, maintained arguments with a Musician in points of his Art, somewhat peremptorily; but the Musician said to him; *God forbid Sir, your Fortune were so hard, that you should know these things better then my self.*

265. Antalcidas, when an Athenian said to him, *Ye Spartans are unlearned,* said again; *True, for we have learned no evil nor vice of you.*

266. Pace the bitter Fool, was not suffered to come at Queen Elizabeth, because of his bitter Humour. Yet at one time, some perswaded the Queen that he should come to her; undertaking for him, that he should keep within compass, so he was brought to her, and the Queen said; *come on Pace, now we shall hear of our faults,* saith Pace; *I do not use to talk of that, that all the Town talks of.*

267. Bishop Latimer said, in a Sermon at Court; *That he heard great speech that the King was poor; And many ways were propounded to make him Rich; For his part, he had thought of one way, which was; That they should help the King to some good Office; for all his Officers were rich.*

268. After the defeat of Cyrus the younger, Falinus was sent by the King to the Grecians, (who had for their part rather victory, than otherwise) to command them to yield their arms; which when it was denied, Falinus said to Clearchus; *Well then, the King lets you know, that if you remove from the place where you are now encamped, it is War: if you stay it is Truce: What shall I say you will do?* Clearchus answered, *It pleaseth us, as it pleaseth the King. How is that?* saith Falinus, saith Clearchus; *If we remove, War; If we stay, Truce;* and so would not disclose his purpose.

269. Alcibiades came to Pericles, and stayed a while ere he was admitted. When he came in, Pericles civilly excused it, and said; *I was studying how to give mine account.* But Alcibiades said to him, *If you will be ruled be me, study rather how to give no account.*

270. Mendoza that was Vice-Roy of Peru, was wont to say; *That the Government of Peru was the best place that the King of Spain gave, save that it was somewhat too near Madrid.*

271. When Vespasian passed from Jury, to take upon him the Empire, he went by Alexandria, where remained two famous Philosophers; Apollonius and Euphrates. The Emperour heard the discourse, touching matter of State, in the presence of many. And when he was weary of them, he brake off, and in a secret derision, finding their Discourses but speculative, and not to be but in practise, said; *Oh that I might govern wise men, and wise men govern me.*

272. Cardinal Ximenes, upon a Muster, which was taken against the Moors, was spoken to by a Servant of his to stand a little out of the smoke of the Harquebuz, but he said again, *That that was his incense.*

273. Nero was wont to say of his Master Seneca, *That his stile was like mortar without lime.*

274. A certain Countrey man being at an Assizes, and seeing the Prisoners holding up their hands at the Bar, related to some of his acquaintance: *That the Judges were good Fortune-Tellers; For if they did but look upon a mans hand, they could tell whether he should live or dye.*

275. Augustus Cesar, out of great indignation against his two Daughters; and Posthumus Agrippa, his Grand-child, whereof the two first were infamous; and the last otherwise unworthy, would say; *That they*

they were not his seed, but some imposthumes that had broken from him.

276. A Seaman coming before the Judges of the Admiralty for admittance into an Office of a Ship, bound for the Indies, was by one of the Judges much slighted, as an insufficient person for that Office he sought to obtain; the Judge telling him, *That he believed he could not say the points of his Compass.* The Seaman answered; *That he could say them, under favour, better then he could say his Pater-Noster.* The Judge replied; *That he would wager Twenty shillings with him upon that.* The Seaman taking him up, it came to Tryal: And the Seaman began, and said all the points of his Compass very exactly: The Judge likewise said his Pater-noster: and when he had finished it, he required the wager, according to agreement; *Because the Seaman was to say his Compass better, than he his Pater-noster; which he had not performed.* Nay, I pray Sir, hold, (quoth the Seaman) *The wager is not finished; For I have but half done:* And so he immediately said his Compass backward very exactly; which the Judge failing of in his Pater-Noster, the Seaman carryed away the Prize.

277. There was a Conspiracy against the Emperour *Claudius*, by *Scribonianus*, examined in the Senate; where *Claudius* sat in his Chair, and one of his Freed Servants stood at the back of his Chair. In the Examination, that Freed Servant, who had much power with *Claudius*, very sawcily, had almost all the words: And amongst other things, he asked in scorn, one of the Examinates, who was likewise Freed Servant of *Scribonianus*; I pray Sir, if *Scribonianus* had been Emperour, what would you have done? he answered, *I would have stood behind his Chair and held my peace.*

278. One was saying; *That his great Grand-father, and Grand-father, and Father Died at Sea:* Said another, that heard him; *And I were as you, I would never come at Sea.* Why (saith he) *where did your great Grand-father, and Grand-father, and Father dye?* He answered; *Where, but in their Beds?* He answered; *And I were as you, I would never come in Bed.*

279. There was a dispute, whether great Heads, or little Heads had the better Wit? And one said; *It must needs be the little; For that it is a Maximie; Omne majus continet in se minus.*

280. Sir *Thomas Moor*, when the Counsel of the party pressed him for a longer day to perform the Decree, said; *Take Saint Barnabies day, which is the longest day in the year.* Now Saint Barnabies day, was within few days following.

281. One of the Fathers saith; *That there is but this difference between the death of old Men, and young Men; That old Men go to Death; and Death comes to young Men.*

282. *Cassius*, after the Defeat of *Crassus* by the Parthians, whose weapons were chiefly Arrows; Fled to the City of *Carras*; where he durst not stay any time, doubting to be pursued, and besieged, he had with him an Astrologer, who said to him: Sir, *I would not have you go hence, while the Moon is in the sign of Scorpio.* *Cassius* answered, *I am more afraid of that of Sagittarius.*

283. *Jason the Thessalian*, was wont to say; *That some things must be done unjustly, that many things may be done justly.*

284. There

284. There was an Harbinger had lodged a Gentleman in a very ill Room, who expostulated with him somewhat rudely : but the Harbinger carelessly said ; *you will take pleasure in it, when you are out of it.*

285. *Demetrius* King of *Macedon*, would at times retire himself from business, and give himself wholly to pleasures. One of those his retirings, giving out that he was sick, his Father, *Antigonus*, came on the sudden to visit him ; and met a fair dainty youth coming out of his chamber. When *Antigonus* came in, *Demetrius* said ; *Sir the Feaver left me right now.* *Antigonus* replied ; *I think it was he that I met at the door.*

286. *Cato Major* would say, *That wise men learned more by Fools, than Fools by wise men.*

287. When it was said to *Anaxagoras* ; *The Athenians have condemned you to dye* ; He said again ; *And nature them.*

288. *Alexander*, when his Father wished him to run for the prize of the Race, at the Olympian Games ; (for he was very swift) answered ; *He would if he might run with Kings.*

289. *Antigonus* used often to go disguised, and to listen at the Tents of his Souldiers ; And at a time heard some that spoke very ill of him. Whereupon he opened the Tent at little, and said to them ; *If you would speak ill of me, you should go a little further off.*

290. *Aristippus* said ; *That those that studied particular Sciences, and neglected Philosophy ; were like Penelopes wooers, that made love to the waiting-woman.*

291. The Embassadors of *Asia Minor*, came to *Antonius*, after he had imposed upon them a double Tax ; and said plainly to him ; *That if he would have two Tributes in one year ; He must give them two seed times, and two Harvests.*

292. An Orator of *Athens*, said to *Demosthenes* ; *The Athenians will kill you, if they wax mad* : *Demosthenes* replied, *and they will kill you if they be in good sense.*

293. *Epicletus* used to say ; *That one of the vulgar, in any ill that happens to him, blames others ; A Novice in Philosophy blames himself : And a Philosopher blames neither the one nor the other.*

294. *Cesar* in his Book, that he made against *Cato*, (which is lost) did write to shew the force of opinion and reverence, of a Man that had once obtained a popular Reputation ; *That there were some that found Cato drunk, and were ashamed instead of Cato.*

295. There was a Nobleman said of a great Counsellour ; *That he would have made the worst Farrier in the world ; for she never shod Horse, but he cloyed him : For he never commended any man to the King for service, or upon occasion of sute, or otherwise, but that he would come in, in the end with a But ; and drive in a Nayle to his disadvantage.*

296. *Diogenes* called an ill Physician, *Cock*, *Why ?* (saith he) *Diogenes* answered ; *Because when you Crow, men use to rise.*

297. There was a Gentleman fell very sick, and a Friend of his said to him ; *surely, you are in danger ; I pray send for a Physician* : But the sick man answered ; *It is no matter, for if I dye, I will dye at leisure.*

298. *Cato the Elder*, what time many of the *Romans* had statua's erected in their honour ; was asked by one in a kind of wonder, *why he had none ?* He answered, *he had much rather men should ask, and wonder, why he had no Statua, then why he had a Statua.*

299. A certain friend of Sir Thomas Moors, taking great pains about a Book, which he intended to publish (being well conceited of his own wit, which no man else thought worthy of commendation) brought it to Sir Thomas Moor to peruse it, and pass his judgment upon it; which he did: And finding nothing therein worthy the Press; he said to him with a grave Countenance; *That if it were in verse, it would be more worthy.* Upon which words, he went immediately and turned it into verse, and then brought it to Sir Thomas again, who looking thereon, said soberly; *yes marry, now it is somewhat; for now it is Rhime; whereas before it was neither Rhime nor Reason.*

300. Sir Henry Wotton used to say: *That Criticks were like Brushers of Noble Mens Cloaths.*

301. Hannibal said of Fabius Maximus, and of Marcellus; whereof the former waited upon him, that he could make no progress: and the latter had many sharp fights with him) *That he feared Fabius like a Tutor: And Marcellus like an Enemy.*

302. When King Edward the second, was amongst his Torturers, who hurried him too and fro, That no man should know where he was, they set him down upon a Bank: And one time the more to disguise his Face, shaved him, and washed him with cold water of a Ditch by: The King said: *Well, yet, I will have warm water for my Beard: And so shed abundance of Tears.*

303. One of the seven was wont to say; *That Laws were like Cop-webs: where the small Flies were caught, and the great brake through.*

304. Lewis the Eleventh of France, having much abated the greatness and power of the Peers, Nobility, and Court of Parliament, would say; *That he had brought the Crown out of Ward.*

305. There was a cowardly Spanish Souldier, that in a Defeat the Moors gave, ran away with the foremost. Afterwards when the Army generally fled, this Souldier was missing. Whereupon it was said by some, *that he was slain: No sure (saith one) He is alive; For the Moors eat no Hares Flesh.*

306. A Gentleman that was punctual of his word, and loved the same in others: when he heard that two persons had agreed upon a meeting, about serious affairs, at a certain time and place; And that the one party failed in the performance, or neglected his Hour; would usually say of him; *He is a young man then.*

307. Anacharsis would say, concerning the popular Estates of Grecia. *That he wondred how at Athens, Wise men did propose, and Fools dispose.*

308. His Lordship, when he had finished this Collection of Apophthegms, concluded thus; *Come now, all is well: They say, he is not a wise man that will loose his friend, for his wit: But he is less a wise man, that will loose his friend, for another mans wit.*

FINIS.

A certain friend of Sir Thomas, taking great pains about a book, which he intended to publish (being well stocked of his own wit, which no man else thought worthy of commendation) brought it to Sir Thomas, that to peruse it, and gave his judgment upon it; which he did: And finding nothing therein worthy the press, he said to him, send a grave Counsellor; that if it were in order, it would be more worth. Upon which words he went immediately and turned it into verse, and brought it to Sir Thomas again, who looking thereon, said to him: For many, were it in French; for none it is English; neither do I see it will be better than my reason.

200. Sir Henry Wotton used to say: That Criticks were like buyers of Noble Men's Cloaths.

201. Hannibal said of Fabius Maximus, and of Marcellus, who sold the former waiting upon him, that he could make no progress; and the latter had many sharp fights with him (that he feared Fabius like a water, and Marcellus like a fire).

202. When King Edward the second was amongst the Torturers, he had him too and so; that no man should know where he was, they set him down upon a Bank: And one time the more to disgrace him, they gave him, and washed him with cold water of a Cup by the King's side: Well, yet I will have new water for my beard: And to find abundance of Tortures, I will have new water for my beard.

203. One of the seven went to say: that I am now the seventh, where the sixth was, and the great book is the seventh.

204. I was the seventh of seven, having much of the great, and power of the great Nobility, and Council of Parliament, which I had brought the Crown out of the land.

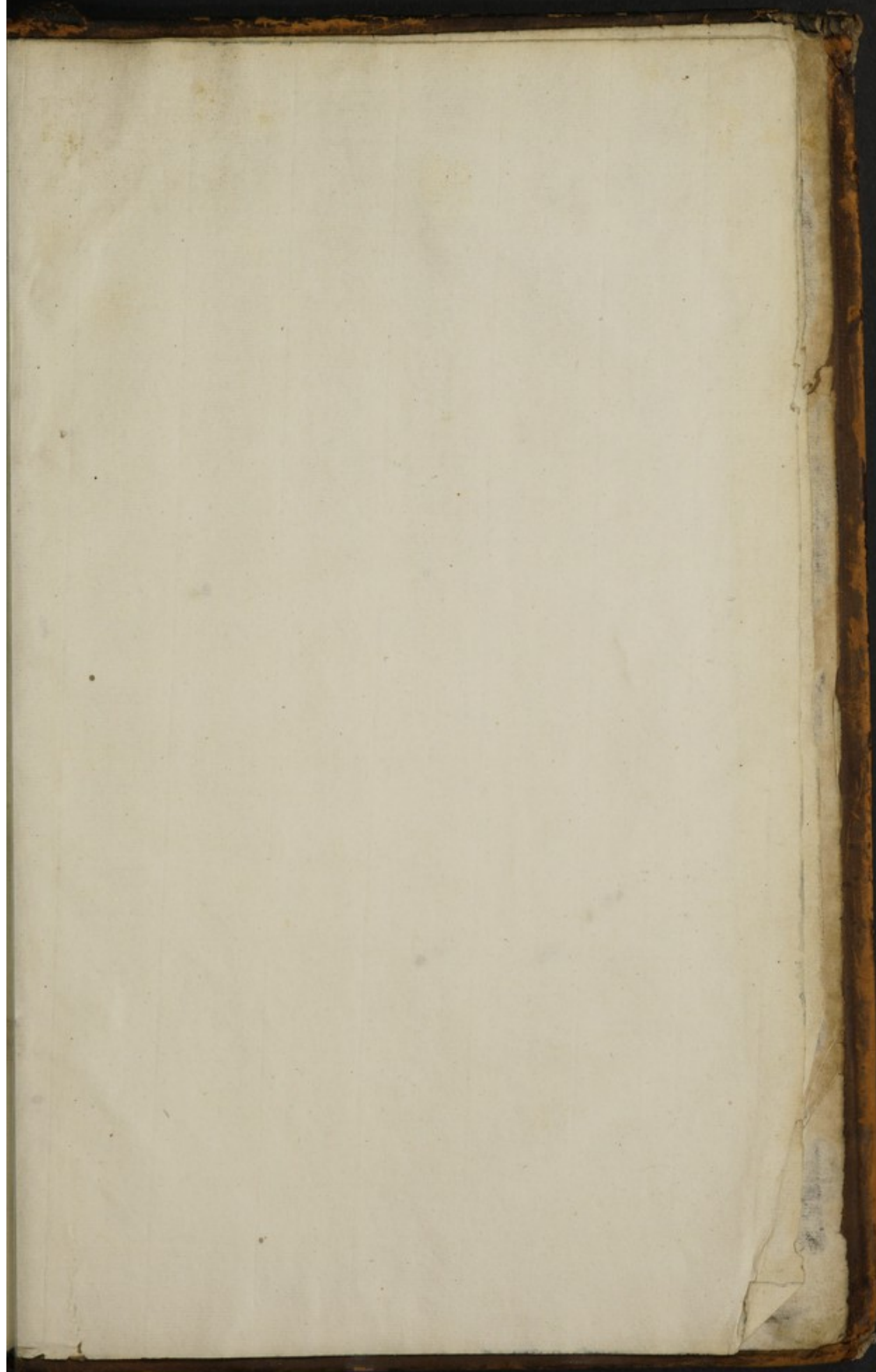
205. There was a cowardly Spanish Soldier, that in a Desert the Army gave away with the foremost. Afterwards when the Army generally fled, the Soldier was missing. Whereupon it was said by some that he was slain: No, say (said one) he is the Mountain no other place.

206. A Gentleman that was principal of his word, and loved the time in order: when he heard that two persons had agreed upon a meeting about some affairs at a certain time and place; And that the one party failed in the performance, or neglected his hour; would usually say of him: He is a man of time.

207. Somebody would say, concerning the popular Estates of a certain town, that he wanted one at Athens, who was did not, and had no wife.

208. Mr. Lording, when he had finished the Collection of Apophthegms, concluded thus: Come now, all is well: This is a well, and a wife, and I will keep his friend for his wife: But he is left a wife, and I will keep his friend for another man's wife.

FINIS



In the 14th Year of the said King Charles the First, the Great Seal of England committed to his Custody 23 Jan.

And was made Lord Chancellor of England at Dover in Flanders 23 Jan. following.

Anno 1667. Sir Orlando Bridgeman Knight and Baronet, Lord Chief Justice of the Court of Common Pleas, had the Great Seal of England committed to his Custody 30 Aug.

