

LETTER

TO

1461

LADY LOUGHBOROUGH,

FROM THE

EARL OF ABINGDON;

IN CONSEQUENCE OF

HER PRESENTATION OF THE COLOURS

TO THE

BLOOMSBURY and INNS of COURT

Association.

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## A LETTER,

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YOUR Ladyship having, in the most public and awful Manner, consigned Colours to the Charge of Men of the most laudable Profession, whom you are pleased to compliment for “those arduous Exertions in the Service of their Country, which evince their Determination to defend (under Heaven!) our glorious Constitution; of which,” you assert your “Banner to be the Type, whilst Life remains;” although I admire the Zeal as well as “the unlettered Eloquence of your Heart, glowing with Ardour in its Country’s Cause,” it seems incumbent upon me (whom your Brother originally indulged with his Proxy, which was never abused, but steadily adhering to the Dignity and Hereditary Blood

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of

of the House of Courtenay, constantly employed in Support and Defence of that Constitution, which for its Purity, has ever been universally adored, as one of the Wonders of the World, and shall not cease to survive the Revolutions of Time, quickened by Virtue, which alone can exempt it from Death, in which not only the *Kingdom's* Right (England) but the Liberty and Property of the Subject at large, are inrolled) to call forth your Attention, to an Institution, the fundamental Points of which, your Ladyship, in the natural Course of Education, may probably have not imbibed.

In Order, therefore, to smoooth my Way, I must invoke your Ladyship to fix your View to two important Objects, of which the first is a Discourse in *Honour* of the Revolution, extracted from a London Journal, and the second, from a Sermon, preached before the University of Oxford, by WILLIAM CROWE, L. L. B. Fellow of New College, on the Anniversary of the Fifth of November.

DISCOURSE,

## DISCOURSE,

In HONOR of the REVOLUTION.

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“THE REVOLUTION, brought about under the matchless Conduct, and consummate Prudence of the PRINCE of ORANGE, is the Source of all our present National Happiness: It is the Renewal and Confirmation of our Constitution, and the Enlargement and Enforcement of Publick Liberty: It is the End, the glorious End, of all the noble Struggles and virtuous Contentions of our worthy Ancestors. This End was not only glorious, but the Means used to obtain it were perfectly just: the Disposition and Actions of the Prince of ORANGE and the People of England, were strictly wise, and exactly conformable to the Laws of Nature, which are the Laws of GOD, the Great Author of Nature; who ever commands us to take Care of our Happiness, when 'tis invaded by wicked and unreasonable Men.”

“Publick

“ *Publick Good, general Happiness, and the Prosperity of the PEOPLE, were the Motives of Resistance at the REVOLUTION; but these were not always the Motives of Resistance, nor of all the Civil Wars, which, of old, infested this Kingdom. The Wars, commonly called the Baron’s Wars, were only a Contention between the King and the Barons, who should be the Tyrants of the People. The Battles and Bloodshed of those Times, were not for the Good of the People, but for the Power of the King or Barons: It was nothing to the poor People, who got the better; the Conquerors were their Tyrants, and they the Conqueror’s Slaves.*”

“ The Wars between the Houses of York and Lancaster, were not the *virtuous Struggle* of the People for *Liberty and general Good*; but a Struggle among the *Great Men*, according as their Acquaintance, Inclination, or Interest lay, *what Family should be King.*”\*

“ The

\* Query how far the *Whigs and Tories, Tories and Whigs*, so shuffled and intermixt, as even to puzzle a very learned and eloquent Law Lord (Tharlow) on his Woolfack, to distinguish and *define* them, have been instrumental to the present existing Troubles? Time will reveal; and how far, in the Contests, the actual *Bond Fide* Rights of the *People* have also been the actual Object of these contending *Parties*, is a Point, that may in future require some Investigation.

“ The *REVOLUTION* not only preserved the *ancient Form* of the *English Government*; but the *Claims* of the *People of England* were so well adjusted and established by THE *BILL OF RIGHTS*, that the *Substance* of *Liberty* was very much *ENLARGED*, and very strongly *enforced*; the *Civil* and *Religious Rights* of the *Subject* were specified, recognized, and strengthened, by *Guardian Laws*: Such a *just Balance* of *Power* was settled between *King* and *People*, as hath *firmly secured* those *Liberties*, which 'till that happy *Period*, were very *precarious*; and removed from us the *Fear* of *Civil Commotions*, *Wars*, and *Violence*, on *Account* of *Religion* and *Worship*, the *Property* of the *Subject*, and the *Contending Titles* of the *Crown*. The *Prerogative* of the *King*, and the *Rights* of the *People* are so well *understood*, because so well *distinguished*, that all *Contention* about them is ceased amongst *wise* and *honest Men*; the *Laws* are made the *standing Measure* of *Government* and *Obedience*; and *Prerogative* is justly accounted no more than a *Power* of *executing* the *Laws*, and a *Power* of acting for the *Good* of the *People*, in *Cases* of *Emergency*, which the *Laws* can't *foresee*, nor consequently *provide* for.”

Your

Your Ladyship will now permit me to lead you to the second Object, where you will perceive an accomplished and conclusively argumentative Writer (who is not alone a *Divine*, but a Poet and Orator, not only with Strength of Thought, but Dignity of Soul, Foresight and Judgment, illustrating his Subjects with the greatest Perspicuity) adverting to “the *Duties* of Religion and the *Rights* of Society as being well understood, and our mutual Forbearance and Charity enlarged, expresses his Hope, that the desirable Period may arrive, when we shall all serve GOD, if not in the *Unity of Spirit*, which is most perfect, yet in the Bond of Peace, which best becomes the Disciples of CHRIST.”\*

He

\* “*Ubi fuerit Christus ibi est Ecclesia CATHOLICA!*” and it is established, of old, that no *Church* ought to have any Law repugnant to those of the *Catholic Church*, and that the presuming of a *Part* of the Church to differ from the *Whole*, is Schismatical, as *all Parts* ought to be congruous to the *Whole*; and to which every Member of different Communities is, by Oath, Honour, Conscience, and Faith, bound to adhere. These are hallowed and immutable Points, which must operate equally in *Church* and *State*; for, even our BLESSED LORD Himself saith, that Faith is one of the τα βαρυτερα τῶ νομῶ weightier Matters of the Law. *Perjury* dishonours GOD more than any other Sin, and is, surely, more detestable than *Atheism* itself, because

He next proceeds, as followe:

“ The true End of Civil Society is the Preservation of the Civil Rights of its Members; and it is incumbent on the Magistrate, to whom the Protection of those Rights is entrusted, to exert his utmost Vigilance, Prudence, and Fortitude in their Defence: and he being bound, by the very Nature and Reason

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because this is only a Denial of the Being of a GOD; but that, a deriding and scorning of HIM; a grievously taking his Name in vain; for, GOD “ will not hold him guiltless, that taketh his Name in vain.”

Even *Heathens* acknowledge the Supremacy of *Oaths*; and it is, here, much applicable to the Subject to quote the Example of *Uladislaus*, King of *Hungaria*, who made a Truce with *Amurath*, the *Turk*, for Ten Years, which was confirmed by an *Oath*, which they mutually swore to each other. But, the *Pope* disliking the Covenant, had Recourse to his *Dispensing Power*, and absolved the King from his *Oath*, so that the War was renewed. And having joined in a set Battle, at first the *Hungarians* had the better; which the *Turk* seeing, is said to have pulled the Articles of the Truce out of his Bosom, and to hold them up to Heaven, and say, O CHRIST, if Thou art GOD, as *Christians* profess Thou art, then avenge Thyself on them, who have so highly dishonoured The, by breaking their Covenant and their *Oath*, which they swore to by Thy Name; upon which the Battle turned; the *Turks* had a signal Victory; the *Christians* were vanquished; and *Uladislaus* himself was slain in the Fight.

of his Office, to make the Welfare of the Society the ultimate Object of his Care; it is no less his Duty to prevent the Dangers he foresees, than to remedy the Evils he cannot prevent: yet must he not interfere by discretionary Acts of Power, for the *Magistrate's Discretion may be made a Scourge for the People*: nor yet in Matters purely Religious, for with such he has not, of *Right*, any Concern whatever."

"But if the Magistrate shall refuse to fulfil that great Purpose of his Institution (*the Protection of the People*), and much more, if he shall betray *the Trust reposed in him*, and become himself a Danger to the State, in such Circumstances the *Community* is at Liberty to act for itself; and is justified, provided the Members in their Conscience believe, that less Damage will follow from so doing, than from submitting to the Evil.

"It was this Manner of acting (or in other words, the Duty of Self-preservation) that brought on the second great Deliverance of *this Day*; when the People, having received many Provocations from the Intrusion of papal Superstitions, and sustained many Injuries from the Insolence of Arbitrary Power, arose to vindicate *their truly indefeasible Rights!* And because they  
saw

law that their Grievances had sprung as much from the assumed Authority of the Prince as from his Bigotry, they judged it expedient to *secure themselves* with equal Precaution against both. They would no longer receive from his precarious Bounty, that which they claimed and demanded as their Right; nor would they allow the Head of their own Church to hold Religious Principles, which made him the Subject of another. The Throne was placed on the firm *Basis of a Protestant Religion and a bounded Prerogative*: and thus was completed for Us that noble Structure of Freedom which the Revolution established. It was planned in Wisdom, and founded in Justice; and it was erected on the Ruins of a Royal House—a glorious and awful Monument, to tell Mankind—THERE IS NO GREATNESS OR DOMINION ON EARTH SO SACRED, BUT IT MUST FALL BEFORE THE LIBERTIES OF THE PEOPLE\*.”

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“ TO

\* The celebrated *Monsieur Gourville*, who resided long enough in England to know the Humour of the Court, People, and Parliament, forcibly concludes, “ qu’un Roi d’Angleterre qui veut etre *L’Homme de son Peuple* est le plus grand Roi du Monde, mais s’il veut etre quelque chose d’avantage, il n’est plus rien.” That a KING of England, who will be the *Man of his People*, is the greatest King in the  
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“ To us, who with grateful Commemoration solemnize this Day, it remains that we offer up the Duty of Praise and Thanksgiving to God for these signal and repeated Instances of his Protection. And so just a Claim has this Day to every Sentiment and Expresssion of our Joy, that it were devoutly to be wished there was no Room for unwelcome Reflections, and that every unquiet Thought could be banished from it. But though it be our Duty to rejoice in the Day of *Prosperity*, in the Day of *Adversity* we are bid to *consider*; and God hath so set the one against the other before the People of this Nation, that if we will rejoice in this Day, we must rejoice with Fear. For at what Time were we so exposed to the Dangers and Calamities of War, from the united Attempts of so *many* and so powerful Enemies? Or when did our *unhappy Divisions*, and our other manifold Sins and Provocations, more conspire to bring down His Judgments upon us? Awakened from the Dreams of  
 Conquest,

the World; but if he will be *something more*, he is *nothing at all*. We should, therefore, earnestly pray that all Sovereigns would take the utmost care to render themselves the *Darlings* of their *People*; and no good *Englishman* can wish for more, than that our *native King* may long Reign! and that the Triple Alliance of his *sacred Majesty*, his *Parliaments*, and his *PEOPLE*, may never be dissolved!

Conquest, we behold the most thriving Branch of our Empire engrafted on the Power of our natural Foe, and defend with Difficulty our remaining Possessions. It is a War of Apprehension and Dismay; and even now is every one listening in the Anxiety of Fear for the News that the next Hour may bring him of some *heavy* Calamity. It will come; it will come quickly; and it will be but the Beginning of Sorrows."

"And to what can we attribute this alarming Situation, but to the *just Visitation of God for our Offences*? It is therefore every Man's first Duty to examine *himself*, and *so* to regulate his future Life, that his Guilt may not add more to the too heavy Burden of this Land. But this is not the whole Matter: the *Causes* of national Prosperity and Distress are often to be found (where they are naturally to be sought for) in *national Practices and Principles*. And surely that *State* cannot but be in a perilous Condition, where, on one Hand, *Corruption* maintains a wide and increasing Influence, acknowledged but uncontrouled, and prodigal beyond Example: on the other, a People indulge themselves in idle and luxurious Dissipation; so to avoid Reflections too serious and too distressful, because they care  
not,

not, or despair of the Commonwealth. Yet these, and other Practices as bad as these, are but as Diseases which a *sound Constitution* may throw off, and again recover its *pristine Health*. Much worse is the Case when national Principles are vitiated; when (for Instance) it is asserted with a wicked Boldness that *Corruption* is useful and necessary to the Government; or, when those plain and sacred Doctrines of Civil Liberty, which no Sophistry can perplex, and no Strength of Argument confute, are slandered with the injurious Name of empty Speculations. These are dreadful and fatal Tokens; and unless some *Antidote* can subdue their Malignity, the *Constitution* in which they are found will soon decline into that State of Agony and Despair, when its Evils shall be both intolerable and incurable."

" Let us then turn to that BEING for Deliverance who hath so often interposed to save us; and implore HIM to give us that due Sense of all His Mercies, that hereafter we may shew forth His Praise, not only with our Lips but in our Lives, that *Iniquity* may not be our Ruin. Let us look up to HIM for Protection from the impending Danger, and address ourselves to His Goodness in this Hour of our Distress. If, in Justice and Necessity we have drawn the  
Sword,

Sword, do THOU, O GOD, go forth with our Hosts! But if, for our manifold Sins it is Thy Pleasure to chastise us in this *fearful War*; if THOU wilt destroy our Greatness, and this renowned Land must be humbled before its Enemies; we beseech THEE to teach us that true Affection and Dependance on THEE, which must be our Refuge in the time of our Abasement: and grant us Grace to receive whatever Thy secret Wisdom hath appointed for us, with a contented Mind, and a cheerful Resignation to Thy WILL; humbly hoping, that even in Thy Wrath THOU wilt remember Mercy; and knowing assuredly, that whether in Prosperity or Afflictions, we still are Instruments in Thy Hand, O FATHER ALMIGHTY! to promote Thy gracious Designs for the general Good of Thy Creation!"

Having already spoken respectfully of the Profession *in general*, I yet doubt whether *all* Lawyers are sound Statesmen, acting agreeably to the *fundamental* Laws or *political* Constitution of this Kingdom; and whether, in *some Instances*, the Depravity of Education and Practice does not generally contribute to deaden their instinctive Virtues?

This

This is the Opinion of a Mr. Dawes.—And if every Thing is to be credited which seems to be authentically stated by a Mr. A. Grant, in a Work dedicated to the Earl of Moira, concerning the National Miseries and Evils flowing from various of the present Practitioners, it is enough to make Human-Nature shudder with Horror and Indignation!

How far, in the present Days of refined Philosophy, Investigators have too much wandered from the Precepts of Christianity, is left to future Discussion, and the Decision of Time; yet, if I might venture to prophecy, in the Words of Lord Bacon, “although a Smattering of Philosophy may lead a Man into *Atheism*, a deep Draught will certainly bring him back again to the Belief of God and *Providence*,” and that νόμος γραπτός the Apostle speaks of, that Law which is written in the Breast and Heart of every Man.

But, as an Abuse of other Nations will naturally invite a Recrimination, let us examine what the French System is, and what they, in their bilious Humour and vindictive Spirit of Retaliation, say of the Folly and Madness of Englishmen.

In their *Politique de France*, they observe:  
 “Quant a ce qui est des Anglois, ils n’ont aucuns amis, ce sont des Gens sans Foy, sans Religion, sans Probitè, sans Justice aucune, desians, legers au dernier point, cruels, impatiens, Gourmands, Superbes, audacieux, avarès, propres pour les Coups de Main, et pour une prompte Execution, mais incapables de conduire une Guerre avec Jugement. Leur Pais est assez bon pour vivre, mais il n’est pas assez riche pour leur fournir les Moyens de sortir, et de faire aucune Conqueste: aussi n’ont ils jamais rien conquis, exceptè L’IRELANDE dont les Habitans sont foibles et mauvais SOLDATS. Ils se haïssent les uns les autres, et sont en Division CONTINUELLE, soit pour la Religion, soit pour le Gouvernement. Une Guerre de France, de trois ou quatre Ans, contre eux, les ruinera entierement, ainsi il semble qu’il ne faut point faire de Paix avec eux qu’a des Conditions qui nous soient tres avantageuses.”

And, as a further proof of their Jesuitical Proceedings towards this great Nation, by Division and Subdivision, rendering, from Day to Day, the Calamities of other Countries more incurable, they add, that “the most conclusive Way to undo the English, is to make them keep an Army on Foot, and there is no Fear of their landing in FRANCE, but to their  
 C certain

certain Destruction, unless they should be invited by a Rebellion, without which their Troops will, in a short Time, most undoubtedly fall foul upon one another. To keep them upon continual Expence, it is but giving them the Alarm upon the Isles of Jersey and Guernsey, Wight and Man, IRELAND, and the Cinque Ports; by which Means they will be put upon the Charge of Fortifications and Garrisons, which will persuade the People, that the King intends to set up a Standing Army, and an arbitrary Government. So long as this holds, the NATION will never be at Quiet, but torment themselves with Fears and Jealousies, which may be easily fomented by Letters in Cypher, to such or such particular Persons; and in such Sort to be INTERCEPTED as shall be found CONVENIENT. These Letters may give a Hint of a Descent in Ireland, and elsewhere, which would dispose the Irish, who mortally hate the English, to a Revolt; and among the Suspicious Multitude, they would pass for Gospel. This Contrivance would make the SCOTS also, to bethink themselves of recovering their Liberty; where there must be Parties made, and the Scots encouraged one against another; especially the Roman Catholics."

By the foregoing, our Politicians will naturally perceive, that the French carry their  
Sovereign

Sovereign Arbitrage through Christendom. Their Quiet chiefly consists in our domestic Troubles, and more *universally*, in the Calamities of all others (like the Flames of Mount *Vesuvius*) setting whole neighbouring Nations on Fire.

They have finer Ways to Victory than by Force of Arms, and their *Gold* has done them better Service than their *Iron*. Yet they have no other Way than by dividing and weakening of the *Parts* to master the *Whole*, which is their *Capital Design*: And if so, there is no Fence against a *Common Enemy*, but a *Common Union*.

In short, Madam, without trespassing too long upon your Patience, I am decidedly of Opinion that Abuses, in the Course of Time, creep in, both in *Church* and *State*, and ought to be regulated by the *Higher Powers* (our Religious and Political Architects) lest, by their own inconsiderate Neglect, a fine old venerable *Building* may too speedily and fatally fall about their Ears. The Revolution aluded to, so gloriously effected, and at a Period so beneficial to the People, did not, in my Apprehension, sufficiently extend its Limits and Boundaries to prevent the delug-

ing afresh, (as in the Case of the American War) the Globe at large in human Gore.— And, here, let me complain of the *Declaratory Law*, erroneously extended too far, by the then existing Legislators, a Law that hath lost all its *obliging* Power, and, like all other Laws, ceaseth to be any longer a Law, when its *End* is unattainable; it is not, therefore, a Law to be dispensed with in *Part* only, but abrogated and utterly abolished *in Toto*. It has unfortunately been the *Efficient Cause* of all our Misdeeds, fabricated by an *Irishman*, adopted by a Parliamentary *Whig*, and enforced by a Tory of *Scotch* Extraction. If my Memory serves me right, I read, when I had the Honour of being promoted to the King's Bench, in the Anecdotes of that super-eminent Statesman, (the avowed and experienced Friend of Human Nature) the late Earl of Chatham, a sceptical Observation how far a *Scotchman*, *Irishman*, or *Foreigner*, could well, from not being a *Native* of the English Soil, become an Adept in the genuine fundamental Principles of the English Constitution? And yet Mr. *De Lolme*, a *Genevois*, avers, that the *People* of *England* are so intoxicated with their Liberties, that they are even incapable of judging of the *Basis* on which their own self-evident existing Rights and Liberties are founded. For a  
Foreigner

Foreigner to hold out such a daring Proposition, in the Face of all our well-instructed *English Lawyers*, and be *countenanced* also, is to me a Species of Enthusiasm, not to be credited\*!

The *Declaratory Act* pronounced the *Parliament* of England to be Omnipotent, Supreme, *Infallible* (*State-Popery!*) in all Cases whatsoever! My Opinion is, *now*, as it ever has been, that the best and only Plan of *Reformation* is, evidently, to revert to *first Principles*. The Object of the Settlement at the Revolution extended no farther than the *Limitation* of the Power of the Crown. Let the Settlement *now* be the *Limitation* of the *Power* of Parliament! Let it be said what Parliament CANNOT do! And *then*, what it CAN do, will be still *Power* enough left, for any *free Government* to possess. As under *that Declaration* the Power of Parliament was said to be *unlimited*, under such *Unlimitation*, therefore, the Rights of the People were taken away!

How

\* It is to be observed, that *Mr. De Lolme*, in his Publication, ("*Constitution de L'Angleterre*") is equally defective, though not so culpable as *Sir William Blackstone*, with Respect to the genuine Exposition and Definition of the *British Constitution*.

How any *Hereditary Guardian, Individually* sworn to protect the Constitution *as it is*, both in Church and State, should claim an *unlimited Power* in a *limited State*, and an *arbitrary Power* in a *free State*, so incongruous to each other, appears to me inconceivable! and if not justifiable in the *Individual*, how can it *conscientiously* admit of a Justification **COLLECTIVELY**, so many Individuals making, but *one collective Whole*? When a Man violates his Oath, and departs from first Principles, it may be said, that Man has no more Conscience than Wolves (*Homo Homini Lupus*) and that he incurs the satirical Observation of the Italians: “*Tutti sete macchiati d’una pece, e havete la conscientia del Lupo. Che Conscientia ha il Lupo? Il Lupo trovando si ammalato, ando dal Medico per qualche Medicina, il quale gli disse che non dovesse per qualche Tempo mangiar che per TRE QUATTRINI DI CARNE il Pasto. Hora il Lupo tornando a Casa, trovo per Via una Pecora con il suo Agnello, e MOSSO DA CONSCIENCIA LUPINA, per cenar bene, stimò la Pecora valer due Quattrini, e l’Agnello uno, COSI SE GLI MANGIO, e poi disse, non haver preterito l’Ordine al Medico.*”

But to come now, to my main Point, the  
**CONSTITUTION OF THIS COUNTRY!**  
 and

and the sacred and *immutable* Basis on which it stands, and has *ever* stood, exemplified from the Records and History of Antiquity, by the Documents of our virtuous Predecessors, who state, for the well-governing of any Commonwealth, that such Rules and Measures of Operations are instructively to be laid down, as may be firm, certain and fixed: for Perpetuity is *de Ratione Legis*, and every human Law, abstractedly considered as such, ought to be looked on as a permanent, fixed, standing Rule of human Actions (*Regula permanens directiva Humanorum Actuum*) and to continue in Force, and Being, until it be revoked, by the same Legislative Power that made it. These Rules and Measures are no other than human Laws; so that human positive Laws, considered merely as such, may pretend to a Fixedness and Stability: And it is plain that they have it in their *Nature* and *Constitution*, because they do not cease to be Laws, upon the Decease of the Legislator, but continue under *his* Successor; and, after *him*, under a *second* Successor, and a *third*, and a *fourth*, and *so on*; and it is but fit they should, because they were made for the *Public Good*, which is a *fixed Thing*; and for the *Community*, which is *permanent*; and because, moreover, they are Deductions from the Law of NATURE, which

is *perpetual*; and being *accommodated* to all these, they must needs participate, in some Measure, of their Proprieties, which are *Fix- edness, Stability and Perpetuity*; and, by Conse- quence, *quatenus Leges, as they are Laws, do not cease.*

Again, neither doth Cessation attend them by Reason of the *Frailty* of the *Legislator*; for, though the *Legislator* may be mortal, his *Laws* shall not *expire* with him. A Law made for the *Good* of a Commonwealth is made in the *Name* of it, and by the *Legislative Power* of it, and every Commonwealth, as such, is, in some Sort, perpetual; and, therefore, when the *Legislator* or *Legislators* shall die, that Law shall not, in Consequence of that Decease, perish also, or cease to be a *Law* any longer. “ *Delegatio ab Homine expirat Re Integrâ, per Mortem Delegantis; non autem Delegatio a Jure, seu per Legem, quia Lex non moritur.*” And if this were not so, but that Laws should all expire at the Death of every Prince, what great Confusion would follow upon it? But there needs no further Proof in this Matter. Every one knows that *Laws* do usually outlive their *Legislators*.

Again,

Again, the Cessation of Laws depends not upon the Expiration of those Individuals, upon whom they were at first imposed: for, every human positive *Law* made for the *common Good* of any *Body Politic*, obligeth not only all Persons in being, and present Members of it when it is made, but all those, likewise, who shall *hereafter*, be any Parts of it: and every *Body Politic*, being, in some Sort, *perpetual*, its Laws also, abstractedly considered, may justly claim a Share with it in the same kind of Perpetuity; for, every Law, in its own Nature, and from the very first making of it, has a *Respect to Futurity*, and a Power of *obliging those that are to come* (except it be such a Law as some particular Person may impose upon himself by Vow or Contract, wherein his Heirs and Executors are no Ways concerned) and because that all Laws which are made directly for *any Community*, are to be supposed to be made for it, during so long a Time as it shall exist and remain such a Community; and the same Community it may remain unto the *World's End*, for any Thing we know to the contrary: for, though it is *varied* by the Extinction and continued Succession of its *Members*, yet it is still the *same Community*, and, by Consequence, has in it some Sort of Perpetuity (even as the THAMES

at *London Bridge*, is still the same River it was before, although there is not in it, To-day, one Dram of that individual Water which was in it Yesterday) For, all that are *born* Members of it, and all that shall *voluntarily add* themselves to it, do *forthwith* become *Parts* of it, and every *Part must be in Conformity to the WHOLE*, and be *obliged* by the same Laws by which the *Whole* is obliged; or else it is no *congruous* Part of it; I say, by the same Laws, and *those, peradventure, of some Hundreds of Years standing*, and made for the Community, before they had any Being: And so the Community being in some Sort perpetual, its Laws, abstractedly considered as such, may be conceived of as running the same Fate with it, and being, likewise, perpetual.

CICERO, proving such a Necessity, against assumed Infallibility, mentions the Period, when Men had Recourse to *immoveable written Laws*, which would be as *one constant Rule and Standard*, ever speaking to *all Sorts of Men*, with one and the same Voice: “*Tum Leges sunt inventæ, quæ cum omnibus una atque eâdem Voce loquerentur.*” By these Laws *all Men* might know what was *Right* and *Wrong*, and take *due Measures* of all their *Actions*. The Position of Aristotle (a Position which cannot be either

too much commended or used) involves within it a certain Truth, demonstrating that a written Law is a pure Intellect (*Ὁ νόμος ἔστι ἄνευ ὀρέξεως*) not only without any sensitive Appetite, but, also, without a Will; or it is a Judgment, without any Passion or selfish Respect, and such a JUDGE as cannot any Way be unjust or partial, because it constantly speaks to all Sorts of People, with one and the same Tenour of Indifferency, and cannot have a side Respect to any Man's Person, but remains, as a Standing ORACLE, to be consulted when any Doubts or Difficulties may arise! And, therefore, the same Philosopher, in another Place, observes that, it seems to be as clear a Truth as any other whatsoever, that written Laws, decreeing what is Right and Just, should be the PRINCESSES of all COMMONWEALTHS! *Φανερόν ἔδει ἕτως ἕτερον, ἢ ὡς ὅτι δεῖ τὰς νόμους εἶναι κυρίας κειμένων ὀρθῶς πολιτειῶν.* In a word, the wisest Nations did all pitch upon this Way of Government, by known written Laws, as far exceeding all others. The ancient Laws of the Romans were written, and, therefore, called the Laws of the XII. Tables; and so were those of the Athenians upon their Ἀξόνες, Κύρβεις καὶ Στήλαι, Pillars of Brass and Stone. And GOD, HIMSELF, to shew there is no Way of govern-

ing Mankind to be compared to it, *commanded his Laws, also, to be written, not only to preserve them from Oblivion and Corruption, but that they might be as fixed Rules and Standards of Human Actions, and known and Sacred Oracles to be consulted upon all Occasions.* “*And the singular Benefit*” (observes Mr. Hooker, in his “*Ecclesiastical Polity*”) “*that hath grown unto the World by receiving the Laws of GOD, even by his own Appointment committed unto WRITING, we are not able to esteem as the Value thereof deserveth.*”

In short, it is the miserable Condition of the *Times*, from whatever *Cause* they may have taken their Rise, which is now complained against, and which has been attended with such Incidents and Circumstances as have, through some Means or other, so affected every Subject, and all Orders and Degrees of Men, from the *Highest* to the *Lowest*, that one may cry out

“*Ye Gods! what Havock does Ambition make*

“*In all your Works !*”

Of Course, a constant Adherence to the “*Nolumus Leges Mutari,*” can certainly never strike

strike at the *Heart of Great Britain*, but the *VOLUMUS* should ever be dreaded! *False* Loyalty, in *subscribing* to pernicious Measures, is a Crime; but *true* Loyalty is a *faithful* Correspondence and Submission to the *genuine Spirit of Law*: it is *That* which surrounds the *King*; it is his Shield and Buckler, and renders his *Person* sacred!

These are the Dictates of my Heart, which I convey to your Ladyship without Prejudice or Passion; for Great Men, in the Course of Human Affairs, naturally decline, and Mighty Men may fall, but the Dictates of an *honest Philosopher* from his Closet, will keep their *Station* for ever.

I remain,

MADAM,

With the greatest Esteem and Regard,

Your faithful Friend,

And Relation,

ABINGDON.

May

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May the ALMIGHTY RULER and SUPREME DISPOSER of Kingdoms, be pleased, in his *Grace* and *Favour*, and for the Sake of *Peace*, to permit that every Thing may be settled upon the best and *surest Foundations*, for the Welfare of the PATER-PATRIÆ, the *King and Kingdom*, the Honour of *Parliament*, the Preservation of *Religion*, and the Liberty of the *Subject*! May HE so dispose our *Rulers*, not only with great *Wisdom*, but Fulness of *Heart*, to revert fundamentally to the righteous Bulwark of our CONSTITUTION, (which has ever been the Case in *necessitous Times*) that we may, once more, under its *consecrated Banners*, hear the Voice of Joy and Gladness amongst us! That our Oxen and Cattle may be strong to labour; that we may experience the far extended Blessings of *Commerce*, and the Abundance of *Merchandise*; that there may be no *Decay*, no Leading to *Captivity*, and no Complaining in our Streets; that every Man may sit down quietly under his *own Vine*, and  
his

his own Hands *pluck* his *own* Grapes; that the Mowers may fill their Scythes, and the Reapers bind up their Sheaves in the Bonds of *Justice*; and that Felicities may spread, not solely through the *Court* or *Nobility*, or amidst the *Citizens* of any one given Nation, but UNIVERSALLY, from *Dan* unto *Beersheba*, finally accomplishing the Destruction of *Envy*, *Strife* and *Sedition*, and the Extinction even of *every* Seminary of Rebellion!!!

FINIS.