manner, transcribed from his 11th. Paragraph. This Author tells us, Pag. 5. *That when a King withdraws himself, and his Seals, without naming any Persons to represent him, the Government is certainly laid down and forsaken by him.* Though afterwards he is so good natured as to add, *That if any imminent present Danger, or just Fear, (though indeed a King can never be decently suspected of that*; I suppose his Reason is, because Kings are invulnerable) *had driven His Majesty away, it might seem a little too hard to urge this too much.*

In order to the confuting this Notion, I shall prove in the

First place, That His Majesty, before his withdrawing, had sufficient Grounds to make him apprehensive of Danger, & therefore It cannot be called *an Abdication*

Secondly, That the leaving any Representatives behind him was impracticable at this Juncture.

Thirdly, That we have no Grounds, either from the Laws of the Realm, or those of Nature, to pronounce the Throne void, upon such a Retreat of a King.

But before I do this, its not improper to observe, That this pretence of a Demise, if it signified any thing, cannot affect *Scotland* or *Ireland*: Not the first, For there his Majesty's Commissioners acted in the usual Manner, till they were disturbed: Nor the second, For that Kingdom continues still under the Regular Administration of the Lord Lieutenant. Neither is it sufficient to say, That *Ireland* is an Appendage to the Crown of *England*, and therefore it must follow its Revolution. For allowing a Demise was really consequent upon a Failure of Seals and Representatives; yet there would be no colour to apply it to a Case where there was no such Omission: For no Forfeiture ought to be stretched beyond the Reason upon which it is grounded. But this only by the way. I shall proceed to prove the first thing propounded, *viz.* That his Majesty, before his withdrawing, had sufficient Grounds to make him apprehensive of imminent Danger.

We are now fallen upon Times in which the most extravagant and almost impossible Things are swallowed without Chewing, and the plainest Truths outfaced and denyed; as if Evidence was an Argument against Proof, and Absurdities the only Motives of Credibility: So that now, if ever, we seem fit for Transubstantiation. Had not some Men believed this true, in a great Measure, they would never have disputed against matter of Fact, which was done almost in the Face of the whole Kingdom. To speak to the present Case; Had not his Majesty great Reason to retire, to secure his Person and his Honour, at his first withdrawing from *Whitehall*? which is the time from which our Author dates his pretended Desertion (for he will not allow him to be King at his return) I say, had not his Majesty great Reason to retire when he had met with so many unfortunate Disappointments, with so many surprising and unparallel'd Accidents? When part of the Army was revolted, and the remainder too apparently unserviceable? When the People had such fatal and unremoveable Prejudices against his Majesty's Service? When there were such terrible Disorders in the Kingdom, and all Places were either Flaming or ready to take Fire? What should a Prince do, when he had scarce any thing left him to lose but himself, but consult his Safety, and give way to the irresistable Evil? But our Author pretends the King's Affairs had a much better Aspect; Let us observe how he proves it. Why he tells us, *That when the Prince of* Orange's *Proposals came to his Majesty, the Army and the Fleet were left in his Hands.* They were so, that he might pay them for the Prince's Service; for they owned his Majesty's Authority scarce any other way than by receiving his Mony, and eating up his Meat. (It's to be hoped they have since repented of their Actions.) But the Enquirer goes on with his Inventory of *Forts and Revenues*, which the King was to have still. He may know, if he pleases, that we have but Four considerable Forts in the Kingdom. Now *Hull* and *Plimouth* had already disposed of themselves, and the Tower of *London* was demanded

Forces. The Lords published an Order by their own Authority, to oblige the Papists to depart the Town: The City made an Address to the Prince of *Orange*, which was a Virtual acknowledgement of his Power; and Associations came up to that purpose out of the Country; (*Cambridgeshire* Address) not to omit that his Majesty was denyed a small Sum of his own Gold to Heal with; As if they had rather poor People should Perish with Boyles and Ulcers, than shew common Justice and Humanity to their King. From all these remarkable Circumstances, his Majesty might easily guess how they intended to dispose of him: For no Man in his Senses, who has treated a Prince so Contemptuously in his own Kingdom, will ever permit him either Power, or Liberty, for fear he should remember his former Usage. From what has been said, it's most evident, that his Majesty had all imaginable reason to provide for his own Security in some other Country.

And since his Majesty had sufficient reasons to withdraw, these can be no pretence for an Abdication: For we are to observe, that to Abdicate an Office, always supposes the Consent of him whom Quits it. That this is the signification of the Word *Abdico*, appears from *Tully*, *Salust*, and *Livie*, to which I shall only add the Learned *Grotius*, *De jure Belli*, &c. *Libr.* 1. *Cap.* 4. *Sect.* 9. Where he makes Abdicating the Government, and plainly Giving it up, to be *Terms* of the same Importance.

And to prevent unreasonable Cavils, he adds, that a Neglect, or Omission in the Administration of Government, is by no means to be Interpreted a Renunciation of it. We have but two Instances with us which looks like an Abdication since the Conquest; which are in the Reign of *Edward* II. aud *Richard* II. both which were unjustly Deposed by their Subjects. However they did not renounce their Allegiance, and declare the Throne void, till they had a formal Resignation under the Hands of both those unfortunate Princes. And hence it appears how unlucky our Enquirer is at citing the Laws. For *pag.* 12. He tells us, *That since these two Princes have been judged in Parliament for their Male Administration, and since th se Judgments have never been vacated by any subsequent Parliaments; these Proceedings are part of our Law.* From hence I observe,

1. That our Author contradicts himself, For here he owns that Male Administration is sufficient to warrant Deposition, and Resistance. But in his Enquiry into the Measures of Submission, *&c.* (For both these Papers are generally supposed to come from the same Hand) *Pag.* 5. *Par.* 14. He is much kinder to the Crown; for there he asserts, *That it is not lawful to resist the King upon any pretence of Ill Administration, and that nothing less than subverting the Fundamentals of Government will justify an Opposition.* Now I am much mistaken, if Deposing of Kings is not Resisting them with a Witness. But besides his self Contradiction; the case is not to his purpose: For,

1. These Parliaments were called in Tumultuous times, when the Subjects were so hardy as to put their Kings under Confinement. Now if it is against the Constitution of Parliaments to Menace the Two Houses out of their Liberty of Voting freely, then certainly Kings ought not to be overawed by Armies, and Prisons. These Parliaments therefore are very improper to make Precedents of.

2. These Princes were wrought upon so far, as to resign their Crowns, which each of them did, though unwillingly; Let this Enquirer produce such a Resignation from his Majesty, and he says something.

3. He is much mistaken in saying *those judgements*, as he calls them, *have not been vacated by subsequent Parliaments.* For all those subsequent Parliaments, which declare it Unlawful to take up Arms against the King, do by necessary implication condemn these Deposing Precedents; for it's impossible for Subjects to Depose their Princes without Resisting them.

2. By

without any such Deputation, by Virtue of those Commissions which the Judges and Justices of the Peace had already from the King. This I shall prove.

1. From a parallel Instance; King *Charles* the I. took a Journy into *Scotland* in 41. during the Session of Parliament at *Westminster*; where, though he appointed Five Lords to sign Bills in his Name, (The Continuation of *Bak. Chron.*) yet the Judges and Justices acted by Virtue of their former Commissions, without any new Authority from any Representatives of His Majesty. Now *Scotland* is as much a distinct Kingdom from *England*, as *France*; and *France* as much His Majesty's Dominions as *Scotland*: And therefore if Commissions will hold in the King's Absence in one Place, why not in the other?

Secondly, The present Judges met in *January* last at *Westminster*, to dispatch, some Business in order to keep the Term, but were forbidden to proceed by the Prince of *Orange*'s Secretary: So that it is plain, it was the Opinon of these Reverend Judges, that their Commissions from His Majesty were still in Force. But in the next place,

If His Majesty had deputed any Persons to Represent Him in Parliament, this Method would have been attended with new and insepeparable Difficulties. For,

1. If they had been Limited, they would not have given Satisfaction: For it being impossible to foresee the Business and Votes of a Parliament at a distance; If they had been restrained to certain Points, in all probability they would have wanted Power to have passed all the Bills, and so their Deputation would not have Answered the Desire of the Houses, and the greatest part of their Grievances might have been counted unredressed. If it's said that the Parliament might have requested an Enlargement of their Commission from His Majesty. To this I Answer, That the Convention may send to His Majesty for an Expedient now if they please. And, I hope, they will; for I hear His Majesty has been so Gracious as to send to them. But,

2. If these Commissioners were unlimited, it would be in their Power to do a great many things prejudicial to the Crown; In such a Case they might alter the Monarchy into a Commonwealth, or Sign the Deposing of His Majesty, if such Bills should happen to be offered. And though there may be many Persons of Honour, and Conscience enough, to lodge such a Trust with: Yet in regard His Majesty has been lately mistaken in some, of whose Fidelity He had so great an Assurance, He has small encouragement to be over-confiding for the Future. Indeed no Wise Prince will Trust so vast a Concern, as a Kingdom, with the Honesty of another, especially when many of His Subjects are Disaffected, and in a Ferment. So that nothing can be more unreasonable, than to expect such Plenipotentiary and Absolute Commissioners.

3 I shall prove in the last place, That we have no Grounds, either from the Laws of the Realm, or from those of Nature, to pronounce the Throne void, upon such a Retreat of a Prince as we have before us.

1. To begin with the Laws of the Realm, which are either Acts of Parliament, or those we call Common Laws. Now there is no Statute, so much as pretended, to support this Deserting Doctrine; and if there was, it's certain no such can be produced. Indeed a Prince must be very weary of Governing, and void of the common Inclinations of Mankind, who would Sign a Bill of this Nature, and give his Subjects such a dangerous Advantage against himself, and his Posterity.

Neither has this Opinion any better Countenance from Common Law: For Common Law is nothing but Antient Usage, and Immemorial Custom. Now Custom supposes Precedents and Parallel Cases. But it's granted of all Hands, That the Crown of *England* was never Judged to be Demited, by the withrawing of the Prince before now, And, therefore it follows, by undeniable Consequence, that this Opinion can have no Foundation in the Common Law, because there is not so much as one Ruled Case to prove it by, Nay, our Laws are not only silent in the maintenance of

believe it would be thought an incomprehensible sort of Justice. If to proceed in this manner, be not to establish Wickedness by a Law, I have done. If Princes may be thus roughly treated, their Birth is a Misfortune to them; and, we may say, they are Crown'd rather for Sacrifice than Empire. At this rate, the People must e'en Govern themselves, for the Throne will be a Place of too much Danger to sit on any longer. We have an Excellent Church, and we do well to take due Care to continue its Establishment; but to dispossess our Prince, upon this Score, has as little Divinity as Law in it. To endeavour to preserve our Religion by such Methods, will make it more Fatal to us in the event, than Atheism it self. 'Tis a mistake to think the World was made for none but Protestants; and if Dominion was founded in Grace, I am afraid our share would not be great in the Division.

If it is Objected, That His Majesty's not sending to His People, upon His Removal, is an Argument that He intended to govern them no longer. To this I Answer,

1. That I am pretty well assured, That no Man, who makes this Objection, believes the truth of it; and therefore I might safely leave it to his own Conscience to confute him.

Secondly, His Majesty was scarcely Landed in *France* before the Administration was conferred upon the Prince of *Orange*; which Action might very well discourage His Majesty from sending any Messages so soon as He intended, But since, it's known, His Majesty has sent Letters (if not to the Privy Council, as some affirm, yet) to the Convention.

Thirdly, Those who were the Occasion of His Majesty's Departure should (one would think) have waited on Him, and Invited Him back. For without Question the injuring Person ought to make the first step towards an Accomodation, especially when Wrong is done to his own Prince. Now, whether His Majesty has been well used in this Revolution, or not, I leave the World to Jndge now, but God will do it afterwards.

Thus (SIR) I have ventured to give you my Thoughts upon this Subject; and am

Affectionately yours,

F I N I S.