His Majesties Declaration Defended

by John Dryden

Free public domain classic — Noveliopdf

The Project Gutenberg eBook of His Majesties Declaration Defended

This eBook is for the use of anyone anywhere in the United States and most other parts of the world at no cost and with almost no restrictions whatsoever. You may copy it, give it away or re-use it under the terms of the Project Gutenberg License included with this eBook or online at www.gutenberg.org. If you are not located in the United States, you will have to check the laws of the country where you are located before using this eBook.

Title: His Majesties Declaration Defended

Author: John Dryden

Author of introduction, etc.: Godfrey Davies

Release date: February 15, 2005 [eBook #15074] Most recently updated: December 14, 2020

Language: English

Other information and formats: www.gutenberg.org/ebooks/15074

Credits: Produced by David Starner, J. David Pearce and the Online Distributed Proofreading Team

*** START OF THE PROJECT GUTENBERG EBOOK HIS MAJESTIES DECLARATION DEFENDED ***

Produced by David Starner, J. David Pearce and the Online Distributed

Proofreading Team.

The Augustan Reprint Society

John Dryden His Majesties Declaration Defended (1681)

With an Introduction by Godfrey Davies

Publication Number 23 (Series IV, No. 4)

Los Angeles William Andrews Clark Memorial Library University of California 1950

GENERAL EDITORS H. Richard Archer, Clark Memorial Library Richard C. Boys, University Of Michigan Edward Niles Hooker, University Of California, Los Angeles H.T. Swedenberg, Jr., University Of California, Los Angeles

ASSISTANT EDITORS W. Earl Britton, University of Michigan John Loftis, University of California, Los Angeles

ADVISORY EDITORS Emmett L. Avery, State College of Washington Benjamin Boyce, University of Nebraska Louis I. Bredvold, University of Michigan Cleanth Brooks, Yale University James L. Clifford, Columbia University Arthur Friedman, University of Chicago Samuel H. Monk, University of Minnesota Ernest Mossner, University of Texas James Sutherland, Queen Mary College, London

INTRODUCTION

Wherever English literature is studied, John Dryden is recognized as the author of some of the greatest political satires in the language. Until recently the fact has been overlooked that before he wrote the first of these satires, Absalom and Achitophel, he had entered the political arena with the prose tract here reproduced. The proof that the Historiographer Royal contributed to the anti-Whig propaganda of the spring of 1681 depends partly on contemporary or near-contemporary statements but principally on internal evidence. An article by Professor Roswell G. Ham (The Review of English Studies, XI (1935), 284-98; Hugh Macdonald, John Dryden, A

Bibliography, p. 167) demonstrated Dryden's authorship so satisfactorily that it is unnecessary to set forth here the arguments that established this thesis. The time when Dryden was composing his defence of the royal Declaration is approximately fixed from the reference to it on June 22, 1681, in The Observator, which had noted the Whig pamphlet Dryden was answering under the date of May 26.

The bitter controversy into which Dryden thrust himself was the culmination of eleven years' political strife. In 1670, by the secret Treaty of Dover, Charles II and Louis XIV agreed that the English king should declare himself a Roman Catholic, and receive from his brother of France the equivalent of 80,000 pounds sterling and, in case of a Protestant rebellion, 6000 French soldiers. In addition, the two kings were pledged to undertake a war for the partition of the United Provinces. In the words of the late Lord Acton this treaty is "the solid substance of the phantom which is called the Popish Plot." (Lectures on Modern History (1930), p. 211) The attempt to carry out the second part of the treaty was made in 1672, when England and France attacked the United Provinces which made a successful defence, aided by a coalition including the Emperor, Elector of Brandenburg, and King of Spain. The unpopularity of the war compelled Charles II to make peace in 1674. Meanwhile the King had taken a step to put into operation the first part of the Treaty of Dover by issuing a Declaration of Indulgence relieving Catholics and Dissenters alike from the penal laws. He was forced, however, to withdraw it and to give his assent to the Test Act which excluded from all public offices those unwilling to take the sacraments according to the rites of the Church of England. Henceforth Charles II abandoned all hope of restoring Catholicism, though his brother and heir, James, Duke of York, already a convert, remained resolute to secure at least toleration for his co-religionists. But many Englishmen continued to suspect the royal policy.

Roman Catholicism was feared and hated by many Englishmen for two distinct reasons. The first was based on bigotry, nourished by memories of the Marian persecution, the papal bull dethroning Elizabeth, Guy Fawkes' Plot, and by

apprehensions that a Catholic could not be a loyal subject so long as he recognized the temporal power of the Pope. The second was political and assumed that Catholicism was the natural support of absolutism. As Shaftesbury, the leader of the opposition, stated, popery and slavery went hand in hand. Such fears were deepened as the general purport of the Treaty of Dover became known.

Into this atmosphere charged with suspicion was interjected the Popish Plot, said by Titus Oates and his fellow perjurers to be designed to murder Charles II and place James on the throne. From September 1678, when Oates began his series of revelations until the end of March 1681, when the King dissolved at Oxford the third Parliament elected under the Protestant furore excited by the Plot, Shaftesbury and his followers had the upper hand. The King was obliged to propose concessions to the popular will and to offer to agree to limitations on the authority of a popish successor. But Shaftesbury was bent on passing the Exclusion Bill, which excluded James from the throne and substituted the King's illegitimate son, Monmouth. Here he made a fatal blunder because he alienated churchmen who believed in the divine right of kings, all whose sense of decency was outraged by the prospect of a bastard's elevation to the throne, and the supporters of William of Orange, husband of Mary, the elder daughter of James, and the great opponent of Louis XIV. Also, when it became obvious that the King would not agree to a change in the succession, many feared another civil war with all its attendant dangers of a second military domination. Moreover, the lies of Oates and his imitators were becoming discredited.

Though a reaction against the Whigs was beginning, propaganda was needed to disabuse the public of two anxieties—that there was still a danger that Roman Catholicism might be restored and that the three dissolutions might foreshadow a return to unparliamentary government such as Charles I had established from 1629 to 1640, also after three dissolutions. The royal party was at first on the defensive. Their propaganda began with a proclamation issued on April 8 and ordered to be

read in all churches. In the proclamation the King posed as the champion of law and order against a disloyal faction trying to overthrow the constitution. It was read in churches on April 17 and, according to Luttrell's Brief Historical Relation (I, 77), "in many places was not very pleasing, but afforded matter of sport to some persons." Among several replies was one entitled A Letter from a Person of Quality to his Friend. Clearly there was need to answer this pamphlet and to state more fully the case against the Whigs. This task was undertaken by two of the greatest writers of English prose—George Savile, then Earl, later Marquis of Halifax, and John Dryden. Halifax, in the tract lately identified as his by Hugh Macdonald (Cambridge, 1940), Observations upon a late Libel—though he might scarify an individual opponent like Shaftesbury or pour ridicule upon a sentence from A Letter, set himself the task of answering the Whig case as a whole. The text he dilated upon was: "there seemeth to be no other Rule allowed by one sort of Men, than that they cannot Err, and the King cannot be in the Right." With superb irony and wit he demonstrated how inconsistent such an attitude was with the constitution of that day.

Dryden's tract, His Majesties Declaration Defended is, like the one he is answering, in the form of a letter to a friend who has asked the writer's opinion of the Declaration and the answer to it. "I shall obey you the more willingly," Dryden responds, "because I know you are a lover of the Peace and Quietness of your Country; which the Author of this seditious Pamphlet, is endeavouring to disturb." He writes to show the "goodness and equity" of the Prince, because once they are understood, the faction will lose its power and the well-meaning but misled crowd will be no longer deceived by "the specious names of Religion and Liberty." After these introductory paragraphs Dryden began to reply to the pamphlet point by point. His method is to quote or, more strictly, partly to quote and partly to paraphrase, a sentence and then refute its argument. In so doing he is following the method of the author of A Letter. Accordingly, to understand and judge the fairness of Dryden's refutation, it is well first to read His Majesties Declaration, then A Letter, and finally

Dryden. The first has not been reprinted in full but a substantial extract may be found in Echard's History of England (III, 624-6) and in Arthur Bryant's The Letters of Charles II (pp. 319-22), the second is available in a not uncommon folio, State Tracts: being a Collection of several Treatises … privately printed in the Reign of K. Charles II (1689), and the third is here reproduced for the first time. After the perusal of these three tracts, the student may well turn to Absalom and Achitophel, and find instruction in comparing the prose and the verse. He may reach the conclusion that while both were written to win converts to the royal cause, the first was designed to weaken the Whig party and the second to take advantage of a tide that had turned to ruin the Whig leaders. (For a fuller discussion of the relationship of Dryden's tract and his poem see the writer's article, "The Conclusion of Dryden's Absalom and Achitophel" in the Huntington Library Quarterly, X (1946-7), 69-82.) In addition to its historical interest Dryden's tract is a fine specimen of his masculine, vigorous style so well suited to controversial writing.

I desire to thank Mr. James M. Osborn, Yale University, for helpful suggestions in the preparation of this introduction.

This facsimile has been made from the copy in the William Andrews Clark Memorial Library.

Godfrey Davies The Huntington Library

His Majesties

DECLARATION DEFENDED:

In a LETTER to a Friend.

BEING AN ANSWER TO A

Seditious Pamphlet,

CALLED

A LETTER from a Person of Quality to his Friend:

CONCERNING

The Kings late Declaration touching the Reasons which moved him to Dissolve

THE TWO LAST PARLIAMENTS AT

WESTMINSTER and OXFORD.

LONDON: Printed for T. Davies, 1681.

THE Kings Declaration DEFENDED.

Sir,

Since you are pleas'd to require my Opinion of the Kings Declaration, and the Answer to it, which you write me word was sent you lately, I shall obey you the more willingly, because I know you are a lover of the Peace and Quietness of your Country; which the Author of this seditious Pamphlet, is endeavouring to disturb. Be pleas'd to understand then, that before the Declaration was yet published, and while it was only the common news, that such an one there was intended, to justifie the Dissolution of the two last Parliaments; it was generally agreed by the heads of the discontented Party, that this Declaration must be answer'd, and that with all the ingredients of malice which the ablest amongst them could squeeze into it. Accordingly, upon the first appearance of it in Print, five several Pens of their Cabal were set to work; and the product of each having been examin'd, a certain person of Quality appears to have carried the majority of Votes, and to be chosen like a new Matthias, to succeed in the place of their deceas'd Judas.

He seems to be a man cut out to carry on vigorously the designs of the Phanatique Party, which are manifestly in this Paper, to hinder the King, from making any good impression on his Subjects, by giving them all possible satisfaction.

And the reason of this undertaking is manifest, for if once the goodness and equity of the Prince comes to be truly understood by the People, the Authority of the Faction is extinguish'd; and the well meaning crowd who are misled, will no longer

gape after the specious names of Religion and Liberty; much like the folly of the Jews, expecting a Messiah still to come, whose History has been written sixteen hundred years ago.

Thus much in general: I will now confider the Cavils of my Author against the Declaration.

He tells us, in the first place, That the Declaration seems to him as a forerunner of another Parliament to be speedily call'd: And indeed to any man in his right sences, it can seem no other; for 'tis the business of its three last Paragraphs to inform the People, that no irregularities in Parliament can make the King out of love with them: but that he looks upon them as the best means for healing the distempers of the publick, and for preservation of the Monarchy.

Now if this seems clearly to be the Kings intention, I would ask what need there was of the late Petition from the City, for another Parliament; unless they had rather seem to extort it from his Majesty, than to have it pass for his own gracious action? The truth is, there were many of the Loyal Party absent at that Common Council: and the whole strength of the other Faction was united; for it is the common failing of honest men to trust too much in the goodness of their cause; and to manage it too negligently. But there is a necessity incumbent on such as oppose the establish'd Government, to make up with diligence, what they want in the justice of their undertaking. This was the true and only reason why the majority of Votes was for the Petition: but if the business had not been carried by this surprise, My Lord Mayor might have only been troubled to have carried the Addresses of Southwark, &c. of another nature: without his offering them with one hand, and the City Petition with the other; like the Childrens play of, This Mill grinds Pepper and Spice; that Mill grinds Ratts and Mice.

In the next place he informs us, That if has been long the practice of the Popish and Arbitrary Party, that the King should call, frequent, short, and useless Parliaments,

tell the Gentry, grown weary of the great expences of Elections, should sit at home, and trouble themselves no more but leave the People expos'd to the practices of them, and of their Party; who if they carry one House of Commons for their turn, will make us Slaves and Papists by a Law.

Popish and Arbitrary, are words that sound high amongst the multitude; and all men are branded by those names, who are not for setting up Fanaticism and a Common-wealth. To call short and useless Parliaments, can be no intention of the Government; because from such means the great end of Settlement cannot be expected. But no Physician can command his Physick to perform the effects for which he has prescrib'd it: yet if it fail the first or second time, he will not in prudence lay aside his Art, and despair of his Patient: but reiterate his Medicines till he effect the cure. For, the King, as he declares himself, is not willing to have too hard an Opinion of the Representatives of the Commons, but hopes that time may open their eyes, and that their next meeting may perfect the Settlement of Church and State. With what impudence can our Author say, That an House of Commons can possibly be so pack'd, as to make us Slaves and Papists by a Law? for my part I should as soon suspect they would make themselves Arbitrary, which God forbid that any Englishman in his right sences should believe. But this supposition of our Author, is to lay a most scandalous imputation upon the Gentry of England; besides, what it tacitly insinuates, that the House of Peers and his Majesty, (without whom it could not pass into a Law,) would suffer it. Yet without such Artifices, as I said before, the Fanatique cause could not possibly subsist: fear of Popery and Arbitrary power must be kept up; or the St. Georges of their side, would have no Dragon to encounter; yet they will never persuade a reasonable man, that a King, who in his younger years, when he had all the Temptations of power to pursue such a Design, yet attempted it not, should now, in the maturity of his Judgment, and when he sees the manifest aversion of his Subjects to admit of such a change, undertake a work of so much difficulty, destructive to the Monarchy, and ruinous to Himself, if it

succeeded not; and if it succeeded, not capable of making him so truly Great as he is by Law already. If we add to this, his Majesties natural love to Peace and Quiet, which increases in every man with his years, this ridiculous supposition will vanish of itself; which is sufficiently exploded by daily experiments to the contrary. For let the Reign of any of our Kings be impartially examin'd, and there will be found in none of them so many examples of Moderation, and keeping close to the Government by Law, as in his. And instead of swelling the Regal power to a greater height, we shall here find many gracious priviledges accorded to the Subjects, without any one advancement of Prerogative.

The next thing material in the Letter, is the questioning the legality of the Declaration; which the Author sayes by the new style of his Majesty in Council, is order'd to be read in all Churches and Chappels throughout England, And which no doubt the blind obedience of our Clergy, will see carefully perform'd; yet if it be true, that there is no Seal, nor Order of Council, but only the Clerks hand to it, they may be call'd in question as publishers of false news, and invectives against a third Estate of the Kingdom.

Since he writes this only upon a supposition, it will be time enough to answer it, when the supposition is made manifest in all its parts: In the meantime, let him give me leave to suppose too, that in case it be true that there be no Seal, yet since it is no Proclamation, but only a bare Declaration of his Majesty, to inform and satisfie his Subjects, of the reasons which induc'd him to dissolve the two last Parliaments, a Seal in this case, is not of absolute necessity: for the King speaks not here as commanding any thing, but the Printing, publishing and reading. And 'tis not denyed the meanest Englishman, to vindicate himself in Print, when he has any aspersion cast upon him. This is manifestly the case, that the Enemies of the Government, had endeavour'd to insinuate into the People such Principles, as this Answerer now publishes: and therefore his Majesty, who is always tender to preserve the affections of his Subjects, desir'd to lay before them the necessary reasons, which induc'd him

to so unpleasant a thing, as the parting with two successive Parliaments. And if the Clergy obey him in so just a Design, is this to be nam'd a blind Obedience! But I wonder why our Author is so eager for the calling them to account as Accessaries to an Invective against a third Estate of the Kingdom, while he himself is guilty in almost every sentence of his discourse of aspersing the King, even in his own Person, with all the Virulency and Gall imaginable. It appears plainly that an House of Commons, is that Leviathan which he Adores: that is his Sovereign in effect, and a third Estate is not only greater than the other two, but than him who is presiding over the three.

But, though our Author cannot get his own Seditious Pamphlet to be read in Churches and in Chappels, I dare secure you, he introduces it into Conventicles, and Coffee-houses of his Faction: besides, his sending it in Post Letters, to infect the Populace of every County. 'Tis enough, that this Declaration is evidently the Kings, and the only true exception, which our Answerer has to it, is that he would deny his Majesty the power of clearing his intentions to the People: and finds himself aggriev'd, that his King should satisfie them in spight of himself and of his party.

The next Paragraph is wholly spent, in giving us to understand, that a King, of England is no other thing than a Duke of Venice; take the Parallell all along: and you will find it true by only changing of the names. A Duke of Venice can do no wrong; in Senate he can make no ill Laws; in Council no ill Orders, in the Treasury can dispose of no Money, but wisely, and for the interest of the Government, and according to such proportions as are every way requisite: if otherwise all Officers are answerable, &c. Which is in effect, to say he can neither do wrong nor right, nor indeed any thing, quatenus a King. This puts me in mind of Sancho Panca in his Government of the Island of Barataria, when he was dispos'd to eat or drink, his Physitian stood up for the People, and snatch'd the dish from him in their right, because he was a publick person, and therefore the Nation must be Judges to a dram and scruple what was necessary for the sustenance of the Head of the Body

politique. Oh, but there is a wicked thing call'd the Militia in their way, and they shew'd they had a moneths mind to it, at the first breaking out of the Popish Plot. If they could once persuade his Majesty, to part graciously with that trifle, and with his power of making War and Peace; and farther, to resign all Offices of Trust, to be dispos'd by their nomination, their Argument would be an hundred times more clear: for then it would be evident to all the World, that he could do nothing. But if they can work him to part with none of these, then they must content themselves to carry on their new Design beyond Seas: either of ingaging the French King to fall upon Flanders, or encouraging the States General to lay aside, or privately to cut off the Prince of Orange, or getting a War declared against England and France conjoyntly: for by that means, either the King can be but a weak Enemy, and as they will manage matters, he shall be kept so bare of Money, that Twelve Holland Ships shall block up the River, or he shall be forced to cast himself upon a House of Commons, and to take Money upon their Terms, which will sure be as easie, as those of an Usurer to an Heir in want. These are part of the projects now afoot: and how Loyal and conscionable they are, let all indifferent persons judge.

In the close of this Paragraph, he falls upon the King for appealing to the People against their own Representatives. But I would ask him in the first place, if an Appeal be to be made, to whom can the King Appeal, but to his People? And if he must justifie his own proceedings to their whole Body, how can he do it but by blaming their Representatives? I believe every honest man is sorry, that any such Divisions have been betwixt the King and his House of Commons. But since there have been, how could the King complain more modestly, or in terms more expressing Grief, than Indignation? or what way is left him to obviate the causes of such complaints for the future, but this gentle admonishment for what is past?

'Tis easily agreed, he says, (and here I joyn issue with him) That there were never more occasions for a Parliament, than were at the opening of the last, which was held at Westminster. But where he maliciously adds, never were our Liberties and

Properties more in danger, nor the Protestant Religion more expos'd to an utter extirpation both at home and abroad, he shuffles together Truth and Falshood: for from the greatness of France, the danger of the Protestant Religion is evident; But that our Liberty, Religion, and Property were in danger from the Government, let him produce the instances of it, that they may be answer'd; what dangers there were and are from the Antimonarchical Party, is not my present business to enquire. As for the growing terrour of the French Monarchy, the greater it is, the more need of supply to provide against it.

The Ministers tell us in the Declaration, That they asked of that Parliament the supporting the Alliances they had made for the Preservation of the general peace in Christendom, and had desir'd their advice and assistance for the preservation of Tangier: had recommended to them, the farther examination of the Plot; and that his Majesty had offer'd to concurr in any Remedies for the security of the Protestant Religion, which might consist with the preserving the Succession of the Crown, in its due and legal course of descent, but to all this they met with most unsuitable returns.

Now mark what the Gentleman infers, That the Ministers well knew, that their demands of Money for the ends abovesaid, were not to be complyed with, till his Majesty were pleas'd to change the hands and Councils by which his Affairs were managed.—that is, nothing must be given but to such men in whom they could confide, as if neither the King, nor those whom he employed were fit any longer to be Trusted. But the supream power, and the management of all things, must be wholly in their Party, as it was in Watt Tyler, and Jack Cade of famous memory, when they had got a King into their possession: for this Party, will never think his Majesty their own, till they have him as safe, as they had his Father. But if they could compass their Designs, of bringing the same Gentlemen into play once more, who some years since were at the Helm; let me ask them, when the Affairs of the Nation were worse manag'd? who gave the rise to the present greatness of the

French? or who counsel'd the dissolution of the Tripple League? 'Tis a miracle to me that the People should think them good Patriots, only because they are out of humour with the Court, and in disgrace. I suppose they are far other principles, than those of Anger and Revenge, which constitute an honest Statesman. But let men be what they will before, if they once espouse their Party, let them be touch'd with that Philosophers stone, and they are turn'd into Gold immediately. Nay, that will do more for them, than was ever pretended to by Chymistry; for it will raise up the shape of a worthy Patriot, from the ashes of a Knave. 'Tis a pretty juggle to tell the King they assist him with Money, when indeed they design only to give it to themselves; that is, to their own Instruments, which is no more, than to shift it from one hand into another. It will be a favour at the long run, if they condescend to acquaint the King, how they intend to lay out his Treasure. But our Author very roundly tells his Majesty, That at present they will give him no supplyes, because they would be employ'd, to the destruction of his Person, and of the Protestant Religion, and the inslaving the whole Nation, to which I will only add, that of all these matters next and immediately under God, he and his Party, constitute themselves the supream Judges.

The Duke of York, the Queen, and the two French Dutchesses are the great support and protectors of the Popish interest in these Kingdoms.

How comes it to pass that our Author shuffles the two French Dutchesses together? of which the one is an Italian, the other a French Woman, and an English Dutchess? Is he grown so purblind, that he cannot distinguish Friends from Foes? Has he so soon forgotten the memory of past benefits, that he will not consider one of them as her, to whom all their applications were so lately made? Is she so quickly become an old acquaintance, that none of the politick assignations at her Lodgings are remembred? After this, who will trust the gratitude of a Common-wealth? or who will blame the Conduct of a silly Court, for being over-reach'd by the whole French Council, when the able part of the Nation, the designing heads, the gray wisdom,

and the Beaux Garcons, are all foil'd by a single French Woman, at their own Weapon, dissimulation? for the other French Dutchess, since I perceive our Author is unacquainted with her Character, I will give it him; she is one who loves her ease to that degree, that no advantages of Fortune can bribe her into business. Let her but have wherewithall to make Merry adays, and to play at Cards anights, and I dare answer for her, that she will take as little care to disturb their business, as she takes in the management of her own. But if you will say that she only affects idleness, and is a grand Intriguer in her heart, I will only Answer, that I should shew you just such another as I have describ'd her Grace, amongst the heads of your own Party: indeed I do not say it is a Woman, but 'tis one who loves a Woman.

As for the Dutchess of M. either she is a very sincere lover of downright idleness, or she has cousen'd all parts of Christendom, where she has wandred for these last Ten years. I hope our solid Author will pardon me this digression; but now we have had our dance, let us to our serious business.

While these, and their Creatures are at the Helm, what can we expect for the security of the Protestant Religion, or what opposition to the ambitious designs of France?

I suppose more reasonably on the other side, that no such persons are at the Helm, and that what he has assum'd is but precarious. But I retort upon him, that if some of his Party were the Ministers, the Protestant Religion would receive but very cold assistance from them, who have none at all themselves. And for the growth of the French Monarchy, I have already told you, to whose Counsels we are beholden for it.

He goes on; you will tell me that the supplyes so given may be appropriated, to these particular ends of supporting our Alliances, and the relief of Tangier: And it may be so limited by Act of Parliament, that it cannot be diverted to other uses. But he answers that Objection by a Story of Monsieur de Sully's telling of H. 4th of France: let the States raise the Money, and tye it as they please; when they are dissolved, you

may dispose of it as you please.

All this is to confirm his first unalterable principle, that the King must be sure to finger nothing; but be us'd as Fishers do their Cormorant, have his mouth left open, to swallow the prey for them, but his throat gagg'd that nothing may go down. Let them bring this to pass, and afterwards they will not need to take away his Prerogative of making War: He must do that at his own peril, and be sent to fight his Enemies with his hands bound behind him. But what if he thinks not their Party fit to be intrusted, least they should employ it against his Person? why then, as he told you they will give him nothing. Now whose will be the fault in common reason, if the Allyances be not supported, and Tangier not relieved? If they will give him nothing, before they bring him to a necessity of taking it upon their terms, asmuch as in them lyes they dissolve the Government: and the Interest of the Nation abroad must be left in the Suds, till they have destroy'd the Monarchy at home. But since God, and the Laws have put the disposing of the Treasury into his Majesties hands, it may satisfie any reasonable Englishman, that the same Laws have provided for the mispending of the Treasury, by calling the publick Officers into question for it before the Parliament. For God be thanked we have a House of Commons, who will be sure, never to forgoe the least tittle of their Priviledges, and not be so meal-mouth'd as the States of France, of whom neither Monsieur Sully, nor any of his Successors, have never had any cause of apprehension. But since the wisdom of our Ancestors have thought this Provision sufficient for our security, What has his present Majesty deserv'd from his Subjects, that he should be made a Minor at no less than fifty years of age? or that his House of Commons should Fetter him beyond any of his Predecessors? where the Interest goes, you will say, there goes the power. But the most ingenious of your Authors, I mean Plato Redivivus, broaches no such principle as that you should force this Prerogative from the King, by undue courses. The best use which can be made of all, is rather to support the Monarchy, than to have it fall upon your Heads. If indeed there were any reasonable fear of an

Arbitrary Government, the adverse Party had somewhat to alledge in their defence of not supplying it; but it is not only evident, that the Kings temper is wholly averse from any such Design, but also demonstrable, that if all his Council, were such as this man most falsely suggests them to be, yet the notion of an absolute power in the Prince is wholly impracticable, not only in this Age, but for ought any wise man can foresee, at any time hereafter. 'Tis plain, that the King has reduc'd himself already to live more like a private Gentleman than a Prince; and since he can content himself in that condition, 'tis as plain, that the supplies which he demands are only for the service of the publick, and not for his own maintenance. Monsieur de Sully might give what Council he thought convenient for Henry the Fourth, who was then designing that Arbitrary power, which his Successors have since compass'd, to the ruine of the Subjects liberty in France; but I appeal to the Consciences of those men, who are most averse to the present Government, if they think our King would put his Peace and Quiet at this time of day, upon so desperate an issue. What the necessities, which they are driving him into, may make him part with on the other hand, I know not. But how can they answer it to our Posterity, that for private Picques, self Interest, and causeless jealousies, they would destroy the foundation of so excellent a Government, which is the admiration and envy of all Europe?

The rest of my Authors Paragraph, is only laying more load upon the Ministers, and telling us, that if a sum of Money sufficient for those ends were given, while they were Managers of Affairs, it would be only to set them free from any apprehensions of account to any future Parliament. But this Argument having only the imaginary fear of an Arbitrary power for its foundation, is already answer'd, he adds in the close of it, That the Prince has a cheap bargain, who gives Paper-Laws in exchange of Money and Power. Bargains, he tells us, there have always been, and always will be, betwixt Prince and People, because it is in the Constitution of our Goverment, and the chief dependance of our Kings is in the love and liberality of their People.

Our present King, I acknowledge has often found it so; though no thanks I suppose

to this Gentleman and his Party. But though he cry down Paper and Parchment at this Rate, they are the best Evidence he can have for his Estate, and his friends the Lawyers will advise him to speak with less contempt of those Commodities. If Laws avail the Subject nothing, our Ancestors have made many a bad Bargain for us. Yet I can instance to him one Paper, namely, that of the Habeas Corpus bill; for which the House of Commons would have been content to have given a Million of good English money, and which they had Gratis from his Majesty. 'Tis true, they boast they got it by a Trick; but if the Clerk of the Parliament had been bidden to forget it, their Trick of telling Noses might have fail'd them. Therefore let us do right on all sides: The Nation is oblig'd both to the House of Commons for asking it, and more especially to his Majesty, for granting it so freely.

But what can we think of his next Axiome, that it was never known that Laws signified any thing to a People, who had not the sole guard of their own Prince, Government and Laws?

Here all our Fore-fathers are Arraign'd at once for trusting the Executive power of the Laws in their Princes hands. And yet you see the Government has made a shift to shuffle on for so many hundred years together, under this miserable oppression; and no man so wise in so many ages to find out, that Magna Charta was to no purpose, while there was a King. I confess in Countreys, where the Monarck governs absolutely, and the Law is either his Will, or depending on it, this noble maxim might take place; But since we are neither Turks, Russians, nor Frenchmen, to affirm that in our Countrey, in a Monarchy of so temperate and wholsom a Constitution, Laws are of no validity, because they are not in the disposition of the People, plainly infers that no Government but that of a Common-wealth can preserve our Liberties and Priviledges: for though the Title of a Prince be allow'd to continue, yet if the People must have the sole guard and Government of him and of the Laws, 'tis but facing an whole hand of Trumps, with an insignificant King of another sute. And which is worst of all, if this be true, there can be no Rebellion, for

then the People is the supream power. And if the Representatives of the Commons shall Jarr with the other two Estates, and with the King, it would be no Rebellion to adhere to them in that War: to which I know that every Republican who reads this, must of necessity Answer, No more it would not. Then farewell the Good Act of Parliament, which makes it Treason to Levy Arms against the present King, upon any pretences whatsoever. For if this be a Right of Nature, and consequently never to be Resign'd, there never has been, nor ever can be any pact betwixt King and People, and Mr. Hobbs would tell us, That we are still in a state of War.

The next thing our Author would establish, is, That there is nothing in Nature or in Story so ridiculous, as the management of the Ministers, in the Examination of the Popish Plot. Which being prov'd by Coleman's and others Letters, and by both Houses by declaring the King's Life to be in danger, &c. Yet they have persuaded the King to believe nothing of this danger; but to apprehend the Plot to be extreamly improv'd, if not wholly contriv'd by the Presbyterians. And to think it more his concernment to have an end of all; then to have it search'd to the bottom: and that this was the true reason, why four Parliaments, during the Examination of the Plot have been dissolv'd:

Reasonable People will conclude, that his Majesty and his Ministers have proceeded, not ridiculously, but with all that caution which became them. For in the first heat and vehemence of the Plot, the Avenues of White-Hall were more strictly Guarded: His Majesty abstaining from Places of publick Entertainment, and the Ministers taking all necessary Care in Council, both to discover Conspiracies and to prevent them. So, that simply considered, the Popish Plot has nothing to do with the Dissolution of Four Parliaments. But the Use which has been made of it by the House of Commons to Dis-inherit the Duke, to deny the King Supplies, and to make some Votes, which the King declares to be illegal, are the real and plain occasions of dissolving those Parliaments. 'Tis only affirm'd, but never will be prov'd by this Author, that the King or his Ministers have ever been desirous to stifle the Plot, and

not to have it search'd into the bottom. For to what end has his Majesty so often offer'd the Popish Lords to be brought to their Trial, but that their innocence or guilt, and consequently, that of the whole party might be made manifest? Or why, after the execution of the Lord Stafford, did the House of Commons stop at the other Lords, and not proceed to try them in their turns? Did his Majesty stifle the Plot when he offered them, or did they refuse to sound the depth of it, when they would not touch upon them? If it were for want of Witnesses, which is all that can be said, the case is deplorable on the part of the accused; who can neither be bail'd, because impeach'd in Parliament, nor admitted to be tryed, for fear they should be acquitted for want of evidence. I do not doubt but his Majesty, after having done what in him lies for the utmost discovery of the Plot, both by frequent Proclamations of Indemnity, and Reward, to such as would come in, and discover more, and by several others too long to repeat, is desirous (for what good man is not?) that his care and trouble might be over. But I am much deceiv'd, if the Antimonarchical Party be of the same opinion; or that they desire the Plot should be either wholly discover'd, or fully ended. For 'tis evidently their Interest to keep it on foot, as long as possibly they can; and to give it hot water, as often as 'tis dying; for while they are in possession of this Jewel, they make themselves masters of the people. For this very reason I have often said, even from the beginning of the Discovery, that the Presbyterians would never let it go out of their hands, but manage it to the last inch upon a Save-all. And that if ever they had tryed one Lord, they would value themselves upon that Conquest, as long as ever it would last with the Populace: but whatever came on't, be sure to leave a Nest Egg in the Tower: And since I doubt not, but what so mean a Judge as I am could so easily discover, could not possibly escape the vigilancy of those who are at the Helm; I am apt to think, that his Majesty saw at least as great a danger arising to him from the discontented spirits of the popular Faction, as from the Papists. For is it not plain, that ever since the beginning of the Plot, they have been lopping off from the Crown whatever part of the Prerogative they could reach? and incroaching

into Soveraignty and Arbitrary Power themselves, while they seem'd to fear it from the King? How then could his Majesty be blam'd, if he were forc'd to dissolve those Parliaments, which instead of giving him relief, made their Advantages upon his Distresses; and while they pretended a care of his Person on the one hand, were plucking at his Scepter with the other?

After this, the Pamphleteer gives us a long Bead-roll of Dangerfield's Plot, Captain Ely, young Tongue, Fitz-Gerard and Mr. Ray, rails at some, and commends others as far as his skill in Hyperbole will carry him. Which all put together, amounts to no more than only this, that he whom they called Rogue before, when he comes into their party, pays his Garnish, and is adopted into the name of an honest man. Thus Ray was no Villain, when he accus'd Colonel Sackvile, before the House of Commons; but when he failed of the reward of godliness at their hands, and from a Wig became a tearing Tory in new Cloaths, our Author puts him upon the File of Rogues, with this brand, Than whom a more notorious and known Villian lives not.

The next thing be falls upon, is the Succession: which the King declares, He will have preserved in its due descent. Now our Author despairing, it seems, that an Exclusion should pass by Bill, urges, That the Right of Nature and Nations will impower Subjects to deliver a Protestant Kingdom from a Popish King. The Law of Nations, is so undoubtedly, against him, that I am sure he dares not stick to that Plea: but will be forc'd to reply, that the Civil Law was made in favour of Monarchy: why then did he appeal to it? And for the Law of Nature, I know not what it has to do with Protestants or Papists, except he can prove that the English Nation is naturally Protestant; and then I would enquire of him what Countrymen our Fore-fathers were? But if he means by the Law of Nature, self-preservation and defence; even that neither will look but a squint upon Religion; for a man of any Religion, and a man of no Religion, are equally bound to preserve their lives. But I answer positively to what he would be at; that the Law of self-preservation impowers not a Subject to rise in Arms against his Soveraign, of another Religion,

upon supposition of what he may do in his prejudice hereafter: for, since it is impossible that a moral certainty should be made out of a future contingency, and consequently, that the Soveraign may not extend his Power to the prejudice of any mans Liberty or Religion: The probability (which is the worst that they can put it) is not enough to absolve a Subject who rises in Arms, from Rebellion, in foro Conscientiae. We read of a divine Command to obey Superior Powers: and the Duke will lawfully be such, no Bill of Exclusion having past against him in his Brother's life: Besides this, we have the Examples of Primitive Christians, even under Heathen Emperors, always suffering, yet never taking up Arms, during ten Persecutions. But we have no Text, no Primitive Example encouraging us to rebel against a Christian Prince, tho of a different Perswasion. And to say there were then no Christian Princes when the New Testament was written, will avail our Author little; for the Argument is a Fortiori: if it be unlawful to rebel against a Heathen Emperor, then much more against a Christian King. The Corollary is this, and every unbiassed sober man will subscribe to it, that since we cannot pry into the secret Decrees of God, for the knowledge of future Events, we ought to rely upon his Providence, for the Succession; without either plunging our present King into necessities, for what may never happen; or refusing our obedience to one hereafter, who in the course of nature may succeed him. One, who if he had the will, could never have the power to settle Popery in England, or to bring in Arbitrary Government.

But the Monarchy will not be destroyed, and the Protestant Religion will be preserved, if we may have a Protestant Successor.

If his party had thought, that this had been a true Expedient, I am confident it had been mentioned in the last Parliament at Westminster. But there, altum silentium not one word of it. Was it because the Machine was not then in readiness to move! and that the Exclusion must first pass? or more truly was it ever intended to be urged? I am not ashamed to say, that I particularly honour the Duke of Monmouth: but whether his nomination to succeed, would, at the bottom be pleasing to the Heads of

his Cabal, I somewhat doubt. To keep him fast to them by some remote hopes of it, may be no ill Policy. To have him in a readiness to head an Army, in case it should please God the King should die before the Duke, is the design; and then perhaps he has reason to expect more from a Chance Game, than from the real desires of his party to exalt him to a Throne. But 'tis neither to be imagined, that a Prince of his Spirit, after the gaining of a Crown, would be managed by those who helped him to it, let his ingagements and promises be never so strong before, neither that he would be confin'd in the narrow compass of a Curtail'd Mungril Monarchy, half Common-wealth. Conquerors are not easily to be curbed. And it is yet harder to conceive, that his pretended Friends, even design him so much as that. At present, 'tis true, their mutual necessities keep them fast together; and all the several Fanatick Books fall in, to enlarge the common stream: But suppose the business compassed, as they design'd it, how many, and how contradicting Interests are there to be satisfied! Every Sect of High Shooes would then be uppermost; and not one of them endure the toleration of another. And amongst them all, what will become of those fine Speculative Wits, who drew the Plan of this new Government, and who overthrew the old? For their comfort, the Saints will then account them Atheists, and discard them. Or they will plead each of them their particular Merits, till they quarrel about the Dividend. And, the Protestant Successor himself, if he be not wholly governed by the prevailing party, will first be declared no Protestant; and next, no Successor. This is dealing sincerely with him, which Plato Redivivus does not: for all the bustle he makes concerning the Duke of M. proceeds from a Commonwealth Principle: he is afraid at the bottom to have him at the Head of the party, lest he should turn the absolute Republick, now designing, into an arbitrary Monarchy.

The next thing he exposes, is the project communicated at Oxford, by a worthy Gentleman since deceased. But since he avowed himself, that it was but a rough draught, our Author might have paid more respect to his memory, than to endeavour to render it ridiculous. But let us see how he mends the matter in his own which

follows.

If the Duke were only banished, during life, and the Administration put into the hands of Protestants, that would establish an unnatural War of Expediency, against an avowed Right and Title. But on the other hand exclude the Duke, and all other Popish Successors, and put down all those Guards are now so illegally kept up, and banish the Papists, where can be the danger of a War, in a Nation unanimous?

I will not be unreasonable with him; I will expect English no where from the barrenness of his Country: but if he can make sense of his Unnatural War of Expediency, I will forgive him two false Grammars, and three Barbarisms, in every Period of his Pamphlet; and yet leave him enow of each to expose his ignorance, whensoever I design it. But his Expedient it self is very solid, if you mark it. Exclude the Duke, take away the Guards, and consequently, all manner of defence from the Kings Person; Banish every Mothers Son of the Papists, whether guilty or not guilty in particular of the Plot. And when Papists are to be banished, I warrant you all Protestants in Masquerade must go for company; and when none but a pack of Sectaries and Commonwealths-men are left in England, where indeed will be the danger of a War, in a Nation unanimous? After this, why does not some resenting Friend of Marvel's, put up a Petition to the Soveraigns of his party, that his Pension of four hundred pounds per annum, may be transferred to some one amongst them, who will not so notoriously betray their cause by dullness and insufficiency? As for the illegal Guards, let the Law help them; or let them be disbanded; for I do not think they have need of any Champion.

The next twenty Lines are only an illustration upon his Expedient: for he is so fond of his darling Notion, that he huggs it to death, as the Ape did her young one. He gives us his Bill of Tautology once more; for he threatens, that they would not rest at the Exclusion; but the Papists must again be banish'd, and the Dukes Creatures put out of Office both Civil and Military. Now the Dukes Creatures, I hope, are Papists,

or little better; so that this is all the same: as if he had been conning over this ingenious Epigram;

There was a man who with great labour, and much pain; Did break his neck, and break his neck, and break his neck again.

At the last, to shew his hand is not out in the whole Paragraph, when the Duke is excluded, his Creatures put out of Office, the Papists banished twice over; and the Church of England-men delivered to Satan, yet still he says the Duke is the great Minister of State; and the Kings Excellent Qualities give his Brother still opportunities to ruine us and our Religion. Even excluded, and without Friends and Faction he can do all this; and the King is endued with most excellent Qualities to suffer it.

Having found my man, methinks I can scarce afford to be serious with him any longer; but to treat him as he deserves, like an ill Bouffoon.

He defends the sharpess of the Addresses of which his Majesty complains: but I suppose it would be better for him, and me, to let our Principals engage, and to stand by ourselves. I confess, I have heard some members of that House, wish, that all Proceedings had been carried with less vehemence. But my Author goes further on the other hand; He affirms, that many wise and good men thought they had gone too far, in assuring, nay, in mentioning of money before our safety was fully provided for. So you see he is still for laying his hand upon the penny. In the mean time I have him in a Praemunire for arraigning the House of Commons; for he has tacitely confessed, that the wise and good men were the fewer; because the House carryed it for mentioning money in their Address. But it seems they went too far, in speaking of a Supply, before they had consulted this Gentleman, how far the safety of the Nation would admit it. I find plainly by his temper, that if matters had come to an accommodation, and a bargain had been a bargain, the Knights of the Shire must have been the Protestant Knights no longer.

As for Arbitrary Power of taking men into custody, for matters that had no relation to Privileges of Parliament, he says they have erred with their Fathers. If he confess that they have erred, let it be with all their Generation, still they have erred: and an error of the first digestion, is seldom mended in the second. But I find him modest in this point; and knowing too well they are not a Court of Judicature, he does not defend them from Arbitrary Proceedings, but only excuses, and palliates the matter, by saying, that it concern'd the Rights of the People, in suppressing their Petitions to the Fountain of Justice. So, when it makes for him, he can allow the King to be the Fountain of Justice, but at other times he is only a Cistern of the People. But he knows sufficiently, however he dissembles it, that there were some taken into custody, to whom that crime was not objected. Yet since in a manner he yields up the Cause, I will not press him too far, where he is so manifestly weak. Tho I must tell him by the way, that he is as justly to be proceeded against for calling the Kings Proclamation illegal, which concerned the matter of Petitioning, as some of those, who had pronounced against them by the House of Commons, that terrible sentence, of Take him, Topham.

The strange illegal Votes declaring several eminent persons to be Enemies to the King and Kingdom, are not so strange, he says, but very justifiable. I hope he does not mean, that illegal Votes are now not strange in the House of Commons: But observe the reason which he gives: for the House of Commons had before address'd for their removal from about the King. It was his business to have prov'd, that an Address of the House of Commons, without Process, order of Law, hearing any Defence, or offering any proof against them is sufficient ground to remove any person from the King: But instead of this he only proves, that former Addresses have been made, Which no body can deny. When he has throughly settled this important point, that Addresses have certainly been made, instead of an Argument to back it, he only thinks, that one may affirm by Law, That the King ought to have no person about him, who has the misfortune of such a Vote. But this is too ridiculous

to require an Answer. They who will have a thing done, and give no reason for it, assume to themselves a manifest Arbitrary Power. Now this Power cannot be in the Representatives, if it be not in the People: or if it be in them, the People is absolute. But since he wholly thinks it, let him injoy the privilege of every Free Born Subject, to have the Bell clinck to him what he imagines.

Well; all this while he has been in pain about laying his Egg: at the last we shall have him cackle.

If the House of Commons declare they have just Reasons to fear, that such a person puts the King upon Arbitrary Councils, or betrays His and the Nations Interest, in such a Case, Order and Process of Law is not necessary to remove him; but the Opinion and Advice of the Nation is enough; because bare removing neither fines him, nor deprives him of Life, Liberty, or Offices, wherein State Affairs are not concern'd.

Hitherto, he has only prov'd, according to his usual Logick, that bare removing, is but bare removing, and that to deprive a man of a Publick Office is not so much as it would be to hang him: all that possibly can be infer'd from this Argument, is only that a Vote may do a less wrong, but not a greater. Let us see how be proceeds.

If he be not remov'd upon such Address, you allow him time to act his Villany; and the Nation runs the hazard.

I answer, if the House have just Reasons on their side, 'tis but equitable they should declare them; for an Address in this Case is an Appeal to the King against such a man: and no Appeal is supposed to be without the Causes which induc'd it. But when they ask a Removal, and give no reason for it; they make themselves Judges of the Matter, and consequently they appeal not, but command. If they please to give their Reasons, they justifie their Complaint; for then their Address is almost in the nature of an Impeachment; and in that Case they may procure a hearing when they please. But barely to declare, that they suspect any man, without charging him with

particular Articles, is almost to confess, they can find none against him. To suppose a man has time to act his Villanies, must suppose him first to be a Villain: and if they suspect him to be such, nothing more easie than to name his Crimes, and to take from him all opportunities of future mischief. But at this rate of bare addressing, any one who has a publick profitable Employment might be remov'd; for upon the private Picque of a Member he may have a party rais'd for an Address against him. And if his Majesty can no sooner reward the Services of any one who is not of their party, but they can vote him out of his Employment; it must at last follow, that none but their own party must be employ'd, and then a Vote of the House of Commons, is in effect the Government. Neither can that be call'd the Advice and Opinion of the whole Nation, by my Author's favour, where the other two Estates, and the Soveraign are not consenting.

'Tis no matter, says this Gentleman; there are some things so reasonable, that they are above any written Law: and will in despite of any Power on Earth have their effect, whereof this is one.

I love a man who deals plainly; he explicitly owns this is not Law, and yet it is reasonable; and will have its effect as if it were. See then, in the first place the written Law is laid aside: that sence is thrown open to admit reason in a larger denomination. Now that reason which is not Law, must be either Enthusiasm, or the head-strong will of a whole Nation combin'd: because in despite of any Earthly Power it will have its effect; so that, which way soever our Author takes it, he must mean Fanaticism, or Rebellion: Law grounded on reason is resolv'd into the Absolute Power of the People; and this is Ratio ultima Reipublicae.

Furthermore; The King is a publick Person: in his private capacity, as we are told, he can only eat and drink; and perform some other acts of nature which shall be nameless. But his actings without himself, says my grave Author, are only as a King. In his politick capacity he ought not to marry, love, hate, make war, or peace, but as

a King; and agreeable to the People, and their Interest he governs.

In plain terms then, as he is a man he has nothing left to do: for the Actions which are mention'd, are those only of an Animal, or which are common to Man and Beast. And as he is a King he has as little Business, for there he is at the disposing of the People: and the only use that can be made of such a Monarch, is for an Innkeeper to let upon a Sign-Post to draw custom. But these Letters of Instruction how he should behave himself in his Kingly Office, cannot but call to mind how he was school'd and tutor'd, when the Covenanters made just such another Prince of him in Scotland. When the terrible fasting day was come, if he were sick in bed, no remedy, he must up and to Kirk; and that without a mouthful of Bread to stay his Stomach; for he fasted then in his Politick Capacity. When he was seated, no looking aside from Mr. John; not a whisper to any man, but was a disrespect to the Divine Ordinance. After the first Thunderer had spent his Lungs, no Retirement, the first is reinforc'd by a second and a third: all chosen Vessels, dieted for Preaching, and the best breath'd of the whole Country. When the Sun went down, then up went the Candles, and the fourth arises to carry on the work of the night, when that of the day was at an end.

'Tis true what he says, that our greatest Princes have often hearkened to the Addresses of their People, and have remov'd some persons from them; but it was when they found those Addresses reasonable themselves. But they who consult the manner of Addresses in former times, will find them to have been manag'd in the House of Commons, with all the calmness and circumspection imaginable. The Crimes were first maturely weigh'd, and the whole matter throughly winnow'd in Debates. After which, if they thought it necessary for the publick wellfare, that such a person should be remov'd, they dutifully acquainted the King with their opinion, which was often favourably heard; and their desires granted. But now the Case is quite otherwise; Either no Debate, or a very slight one precedes Addresses of that nature. But a man is run down with violent Harangues; and 'tis thought sufficient, if any member rises up, and offers that he will make out the Accusation afterwards:

when things are carried in this heady manner, I suppose 'tis no sign of a Great Prince, to have any of his Servants forc'd from him. But such Addresses will insensibly grow into Presidents: you see our Author is nibbling at one already. And we know a House of Commons is always forgiving the Crescent in their Arms. If they gain a point, they never recede from it, they make sure work of every concession from the Crown, and immediately put it into the Christmass Box: from whence there is no Redemption.

In justification of the two Votes against lending or advancing Money to the King, he falls to railing, like a Sophister in the Schools, when his Syllogisms are at an end. He arraigns the Kings private manner of living, without considering that his not being supplied has forc'd him to it. I do not take upon me to defend any former ill management of the Treasury; but, if I am not deceiv'd, the great grievance of the other party at present, is, that it is well manag'd. And, that notwithstanding nothing has been given for so many years, yet a competent provision is still made for all expences of the publick, if not so large as might be wish'd, yet at least as much as is necessary. And I can tell my Author for his farther mortification, that at present no money is furnish'd to his Majesties Occasions, at such unconscionable Usury as he mentions. If he would have the Tables set up again, let the King be put into a condition, and then let eating and drinking flourish, according to the hearty, honest and greasie Hospitality of our Ancestors. He would have the King have recourse to Parliaments, as the only proper Supply to a King of England, for those things which the Treasury in this low Ebb cannot furnish out: but when he comes to the Conditions, on which this money is to be had, they are such, that perhaps forty in the Hundred to a Jew Banquer were not more unreasonable. In the mean time, if a Parliament will not give, and others must not lend, there is a certain story of the Dog in the Manger, which out of good manners I will not apply.

The Vote for not prosecuting Protestant Dissenters upon the Penal Laws; which at this time is thought to be a Grievance to the Subject, a weakning of the Protestant

Religion, and an Incouragement to Popery, is a matter more tenderly to be handled. But if it be true what has been commonly reported since the Plot, that Priests, Jesuits, and Friars, mingle amongst Anabaptists, Quakers, and other Sectaries, and are their Teachers, must not they be prosecuted neither? Some men would think, that before such an uniting of Protestants, a winnowing were not much amiss; for after they were once sent together to the Mill, it would be too late to divide the Grist. His Majesty is well known to be an indulgent Prince, to the Consciences of his dissenting Subjects: But whoever has seen a Paper call'd, I think, An intended Bill for uniting, &c. which lay upon the Table of every Coffee-House, and was modelling to pass the House of Commons, may have found things of such dangerous concernment to the Government, as might seem not so much intended to unite Dissenters in a Protestant Church, as to draw together all the Forces of the several Fanatick Parties, against the Church of England. And when they were encouraged by such a Vote, which they value as a Law; (for so high that Coin is now inhaunc'd) perhaps it is not unreasonable to hold the Rod over them. But for my own part, I heartily wish, that there may be no occasion for Christians to persecute each other. And since my Author speaks with some moderation, candor, and submission to his Mother Church, I shall only desire him and the dissenting Party, to make the use they ought, of the King Gracious Disposition to them, in not yet proceeding with all the violence which the penal Laws require against them. But this calm of my Author, was too happy to last long. You find him immediately transported into a storm about the business of Fitz-Harris, which occasion'd the Dissolution of the Parliament at Oxford: and accusing, according to his sawcy Custom, both his Majesty, and the House of Lords, concerning it. As for the House of Lords, they have already vindicated their own right, by throwing out the Impeachment: and sure the People of England ought to own them as the Assertors of the publick Liberty in so doing; for Process being before ordered against him at Common Law, and no particular Crime being laid to his Charge by the House of Commons, if they had

admitted his Cause to be tryed before the Lordships, this would have grown a President in time, that they must have been forc'd to judge all those whom the House of Commons would thrust upon them, till at last the number of Impeachments would be so increas'd; that the Peers would have no time for any other business of the Publick: and the Highest Court of Judicature would have been reduc'd to be the Ministers of Revenge to the Commons. What then would become of our ancient Privilege to be tryed per pares? Which in process of time would be lost to us and our posterity: except a proviso were made on purpose, that this judgment might not be drawn into farther President; and that is never done, but when there is a manifest necessity of breaking rules, which here there was not. Otherwise the Commons may make Spaniels of the Lords, throw them a man, and bid them go judge, as we command a Dog to fetch and carry. But neither the Lords Reasons, nor the King first having possession of the Prisoner, signifie any thing with our Author. He will tell you the reason of the Impeachment was to bring out the Popish Plot. If Fitz-Harris really know any thing but what relates to his own Treason, he chuses a fine time of day to discover it now, when 'tis manifestly to save his Neck, that he is forc'd to make himself a greater Villain; and to charge himself with new Crimes to avoid the punishment of the old. Had he not the benefit of so many Proclamations, to have come in before, if he then knew any thing worth discovery? And was not his fortune necessitous enough at all times, to catch at an impunity, which was baited with Rewards to bribe him? 'tis not for nothing that Party has been all along so favourable to him: they are conscious to themselves of some other matters than a Popish Plot. Let him first be tryed for what he was first accus'd: if he be acquitted, his Party will be satisfied, and their strength increas'd by the known honesty of another Evidence: but if he be condemn'd, let us see what truth will come out of him, when he has Tyburn and another World before his Eyes. Then, if he confess any thing which makes against the Cause, their Excuse is ready; he died a Papist, and had a dispensation from the Pope to lie. But if they can bring him silent to the Gallows, all

their favour will be, to wish him dispatch'd out of his pain, as soon as possibly he may. And in that Case they have already promis'd they will be good to his Wife, and provide for her, which would be a strong encouragement, for many a woman, to perswade her Husband to digest the Halter. This remembers me of a certain Spanish Duke, who commanding a Sea-Port-Town, set an Officer of his, underhand to rob the Merchants. His Grace you may be confident was to have the Booty, and the Fellow was assur'd if he were taken to be protected. It fell out, after some time, that he was apprehended: His Master, according to Articles, brought him off. The Rogue went again to his vocation, was the second time taken, delivered again, and so the third. At last the matter grew so notorious, that the Duke found, it would be both scandalous and difficult to protect him any longer; But the poor Malefactor sending his Wife to tell him that if he did not save him he must be hanged to morrow, and that he must confess who set him on: His Master very civilly sent him this Message; Prithee suffer thy self to be hanged this once to do me a Courtesie, and it shall be the better for thy Wife and Children.

'But that which makes amends for all, says our Author, is the Kings resolution to have frequent Parliaments. Yet this, it seems, is no amends neither: for he says Parliaments are like Terms, if there be Ten in a Year, and all so short to near no Causes, they do no good.'

I say on the other hand, If the Courts will resolve beforehand to have no Causes brought before them, but one which they know they cannot dispatch; let the Terms be never so long, they make them as insignificant as a Vacation.

The Kings Prerogative, when and where they should be call'd, and how long they should sit, is but subservient, as our Friend tells us, to the great design of Government; and must be accommodated to it, or we are either denyed or deluded of that Protection and Justice we are born to.

My Author is the happiest in one faculty, I ever knew. He is still advancing some

new Position, which without proving, he slurs upon us for an Argument: though he knows, that Doctrines without proofs will edifie but little. That the Kings Prerogative is subservient, or in order to the ends of Government is granted him. But what strange kind of Argument is this, to prove that we are cheated of that Protection to which we are born. Our Kings have always been indued with the power of calling Parliaments, nominating the time, appointing of the Place, and Dissolving them when they thought it for the publick good: And the People have wisely consulted their own welfare in it. Suppose, for example, that there be a Jarring between the three Estates, which renders their sitting at that time Impracticable; since none of them can pretend to Judge the proceedings of the other two, the Judgment of the whole must either reside in a Superiour power, or the discord must terminate in the ruine of them all. For if one of the three incroach too far, there is so much lost in the Balance of the Estates, and so much more Arbitrary power in one; 'Tis as certain in Politiques, as in Nature; That where the Sea prevails the Land loses. If no such discord should arise, my Authors Argument is of no farther use: for where the Soveraign and Parliament agree, there can be no deluding of the People; So, that in short, his quarrel is to the constitution of the Government.

And we see what nettles him, That the King has learnt from the unhappy example of his Father, not to perpetuate a Parliament. But he will tell you, that they desire only a lasting Parliament, which may dispatch all causes necessary and proper for the publick: And I Answer him, that it lyes in themselves to make it so. But who shall Judge when it shall be proper to put an end to such a Parliament? there is no farther Answer left him; but only, that the Reason of things is the only Rule: for when all necessary causes are dispatch'd, then is the proper time of Dissolution. But if you mark it, this Argumentation is still running in a Circle. For the Parliament, that is the House of Commons, would constitute themselves Judges of this reason of things; and of what causes were necessary to be dispatch'd. So that my Author had as good have laid down this Position bare-fac'd, that a Parliament ought never to be

Dissolved, till an House of Commons would sit no longer.

My Author goes on scoffingly, That he has nothing to say for those angry men (he means of his own Party) whose particular Designs are disappointed; only that they might have kept their places; and that he can find no difference betwixt them who are out, and those who are put in, but that the former could have ruin'd us, and would not: and these cannot if they would.

I am willing to let them pass as lightly as he pleases: Angry they are, and they know the Proverb. I hope I may have leave to observe transiently, that none but angry men, that is, such as hold themselves disobliged at Court, are the Pillars of his Party. And where are then the principles of Vertue, Honour and Religion, which they would persuade the World, have animated their endeavours for the publick? What were they before they were thus Angry? or what would they be, could they make so firm an Interest in Court, that they might venture themselves in that bottom? This, the whole Party cannot choose but know; for Knaves can easily smell out one another. My Author, an experienced man, makes but very little difference, betwixt those who are out, and those who are put in. But the Nation begins to be awake: his party is mouldring away, and as it falls out, in all dishonest Combinations, are suspecting each other so very fast, that every man is shifting for himself, by a separate Treaty: and looking out for a Plank in the common Shipwrack, so that the point is turn'd upon him; those who are out, would have ruin'd us, and cou'd not; and those who are in, are endeavouring to save us if they can.

My Adversary himself, now drawing to a conclusion, seems to be inclining to good opinions: and as dying men, are much given to repentance, so finding his cause at the last gasp, he unburthens his Conscience and disclaims the principles of a Common-wealth, both for himself, and for both Houses of Parliament, which is indeed to be over-officious: for one of the Houses will not think they have need of such a Compurgator. But he wisely fears no change of Government from any, but

the Papists. Now I am of a better heart, for I fear it neither from Papists nor Presbyterians. Whether Democracy will agree with Jesuitical principles in England I am not certain; but I can easily prove to him, that no Government but a Common-wealth is accommodated to the Systeme of Church-worship invented by John Calvin.

The Declaration concludes, that the King is resolv'd to govern in all things by the Laws: And here the Author of the Answer, is for frisking out into a fit of Joy, which looks as aukward with his gravity, as ever was King David's dancing before the Ark. This similitude I hope has pleas'd him; if it does not, Esop's Ass stands ready Sadled at the door. But a melancholick consideration has already pour'd cold water in his Porredge, for all promises he says, are either kept or broken: well-fare a good old Proverb. I could find in my heart to cap it with another, that the old Woman had never look'd for her Daughter in the Oven, if she had not been there herself before. But if the King should keep his word, as all but his Enemies conclude he will, then we shall see Annual Parliaments sit longer I hope; when they meddle only with their proper business. They will lose their time no more, in cutting off the Succession, altering the course of Nature, and directing the providence of God, before they know it. We shall have no uniting of Sects against the Church of England, nor of Counties against the next Heir of the Crown. The King shall then be advis'd by his Parliament, when both Houses concur in their advice. There shall be no more need of Declarations about the dissolving of Parliaments, and no more need of factious Fools to answer them; But the People shall be happy, the King shall be supply'd the Alliances shall be supported, and my suppos'd Author be made a Bishop, and renounce the Covenant. That many of these things may happen, is the wish of every loyal Subject, and particularly of

Sir, Your most humble Servant

The Editors of THE AUGUSTAN REPRINT SOCIETY are pleased to announce

that THE WILLIAM ANDREWS CLARK MEMORIAL LIBRARY of The University of California, Los Angeles

will become the publisher of the Augustan Reprints in May, 1949. The editorial policy of the Society will continue unchanged. As in the past, the editors will strive to furnish members inexpensive reprints of rare seventeenth and eighteenth century works.

All correspondence concerning subscriptions in the United States and Canada should be addressed to the William Andrews Clark Memorial Library, 2205 West Adams Blvd., Los Angeles 7, California. Correspondence concerning editorial matters may be addressed to any of the general editors. Membership fee continues $2.50 per year ($2.75 in Great Britain and the continent). British and European subscribers should address B.H. Blackwell, Broad Street, Oxford, England.

Publications for the fourth year (1949-1950)

(At least six items will be printed in the main from the following list)

SERIES IV: MEN, MANNERS, AND CRITICS

John Dryden, His Majesties Declaration Defended (1681) Daniel Defoe (?), Vindication of the Press (1718) Critical Remarks on Sir Charles Grandison, Clarissa, and Pamela (1754)

SERIES V: DRAMA

Thomas Southerne, Oroonoko (1696) Mrs. Centlivre, The Busie Body (1709) Charles Johnson, Caelia (1733) Charles Macklin, Man of the World (1781)

SERIES VI: POETRY AND LANGUAGE

Andre Dacier, Essay on Lyric Poetry Poems by Thomas Sprat Poems by the Earl of Dorset Samuel Johnson, Vanity of Human Wishes (1749), and one of the 1750 Rambler papers.

EXTRA SERIES:

Lewis Theobald, Preface to Shakespeare's Works (1733)

A few copies of the early publications of the Society are still available at the original rate.

GENERAL EDITORS

H. RICHARD ARCHER, William Andrews Clark Memorial Library

R.C. BOYS, University of Michigan

E.N. HOOKER, University of California, Los Angeles

H.T. SWEDENBERG, JR., University of California, Los Angeles

* * * * *

To THE AUGUSTAN REPRINT SOCIETY

William Andrews Clark Memorial Library 2205 West Adams Blvd., Los Angeles 7, California

AS MEMBERSHIP FEE I enclose for: The fourth year $ 2.50 The third and fourth year 5.00 The second, third and fourth year 7.50 The first, second, third, and fourth year 10.00 [Add $.25 for each year if ordering from Great Britain or the continent]

Name

Address

Make check or money order payable to THE REGENTS OF THE UNIVERSITY OF CALIFORNIA.

Note: All income of the Society is devoted to defraying cost of printing and mailing.

PUBLICATIONS OF THE AUGUSTAN REPRINT SOCIETY

First Year (1946-1947)

1. Richard Blackmore's Essay upon Wit (1716), and Addison's Freeholder No. 45

(1716). (I, 1)

2. Samuel Cobb's Of Poetry and Discourse on Criticism (1707). (II, 1)

3. Letter to A.H. Esq.; concerning the Stage (1698), and Richard Willis' Occasioned Paper No. IX (1698). (III, 1)

4. Essay on Wit (1748), together with Characters by Flecknoe, and Joseph Warton's Adventurer Nos. 127 and 133. (I, 2)

5. Samuel Wesley's Epistle to a Friend Concerning Poetry (1700) and Essay on Heroic Poetry (1693). (II, 2)

6. Representation of the Impiety and Immorality of the Stage (1704) and Some Thoughts Concerning the Stage (1704). (III, 2)

Second Year (1947-1948)

7. John Gay's The Present State of Wit (1711); and a section on Wit from The English Theophrastus (1702). (I, 3)

8. Rapin's De Carmine Pastorali, translated by Creech (1684). (II, 3)

9. T. Hanmer's (?) Some Remarks on the Tragedy of Hamlet (1736). (III, 3)

10. Corbyn Morris' Essay towards Fixing the True Standards of Wit, etc. (1744). (I, 4)

11. Thomas Purney's Discourse on the Pastoral (1717). (II, 4)

12. Essays on the Stage, selected, with an Introduction by Joseph Wood Krutch. (III, 4)

Third Year (1948-1949)

13. Sir John Falstaff (pseud.), The Theatre (1720). (IV, 1)

14. Edward Moore's The Gamester (1753). (V, 1)

15. John Oldmixon's Reflections on Dr. Swift's Letter to Harley (1712); and Arthur Mainwaring's The British Academy (1712). (VI, 1)

16. Nevil Payne's Fatal Jealousy (1673). (V, 2)

17. Nicholas Rowe's Some Account of the Life of Mr. William Shakespear (1709). (Extra Series, 1)

18. Aaron Hill's Preface to The Creation; and Thomas Brereton's Preface to Esther. (IV, 2)

End of Project Gutenberg's His Majesties Declaration Defended, by John Dryden

*** END OF THE PROJECT GUTENBERG EBOOK HIS MAJESTIES DECLARATION DEFENDED ***

Updated editions will replace the previous one—the old editions will be renamed.

Creating the works from print editions not protected by U.S. copyright law means that no one owns a United States copyright in these works, so the Foundation (and you!) can copy and distribute it in the United States without permission and without paying copyright royalties. Special rules, set forth in the General Terms of Use part of this license, apply to copying and distributing Project Gutenberg™ electronic works to protect the PROJECT GUTENBERG™ concept and trademark. Project Gutenberg is a registered trademark, and may not be used if you charge for an eBook, except by following the terms of the trademark license, including paying royalties for use of the Project Gutenberg trademark. If you do not charge anything for copies of this eBook, complying with the trademark license is very easy. You may use this eBook for nearly any purpose such as creation of derivative works, reports, performances and research. Project Gutenberg eBooks may be modified and printed and given away—you may do practically ANYTHING in the United States with eBooks not protected by U.S. copyright law. Redistribution is subject to the trademark license, especially commercial redistribution.

START: FULL LICENSE

THE FULL PROJECT GUTENBERG™ LICENSE

PLEASE READ THIS BEFORE YOU DISTRIBUTE OR USE THIS WORK

To protect the Project Gutenberg™ mission of promoting the free distribution of electronic works, by using or distributing this work (or any other work associated in any way with the phrase “Project Gutenberg”), you agree to comply with all the terms of the Full Project Gutenberg License available with this file or online at www.gutenberg.org/license.

Section 1. General Terms of Use and Redistributing Project Gutenberg electronic works

1.A. By reading or using any part of this Project Gutenberg electronic work, you indicate that you have read, understand, agree to and accept all the terms of this license and intellectual property (trademark/copyright) agreement. If you do not agree to abide by all the terms of this agreement, you must cease using and return or destroy all copies of Project Gutenberg electronic works in your possession. If you paid a fee for obtaining a copy of or access to a Project Gutenberg electronic work and you do not agree to be bound by the terms of this agreement, you may obtain a refund from the person or entity to whom you paid the fee as set forth in paragraph 1.E.8.

1.B. “Project Gutenberg” is a registered trademark. It may only be used on or associated in any way with an electronic work by people who agree to be bound by the terms of this agreement. There are a few things that you can do with most Project Gutenberg electronic works even without complying with the full terms of this agreement. See paragraph 1.C below. There are a lot of things you can do with Project Gutenberg electronic works if you follow the terms of this agreement and help preserve free future access to Project Gutenberg electronic works. See paragraph 1.E below.

1.C. The Project Gutenberg Literary Archive Foundation (“the Foundation” or PGLAF), owns a compilation copyright in the collection of Project Gutenberg

electronic works. Nearly all the individual works in the collection are in the public domain in the United States. If an individual work is unprotected by copyright law in the United States and you are located in the United States, we do not claim a right to prevent you from copying, distributing, performing, displaying or creating derivative works based on the work as long as all references to Project Gutenberg are removed. Of course, we hope that you will support the Project Gutenberg mission of promoting free access to electronic works by freely sharing Project Gutenberg works in compliance with the terms of this agreement for keeping the Project Gutenberg name associated with the work. You can easily comply with the terms of this agreement by keeping this work in the same format with its attached full Project Gutenberg License when you share it without charge with others.

1.D. The copyright laws of the place where you are located also govern what you can do with this work. Copyright laws in most countries are in a constant state of change. If you are outside the United States, check the laws of your country in addition to the terms of this agreement before downloading, copying, displaying, performing, distributing or creating derivative works based on this work or any other Project Gutenberg work. The Foundation makes no representations concerning the copyright status of any work in any country other than the United States.

1.E. Unless you have removed all references to Project Gutenberg:

1.E.1. The following sentence, with active links to, or other immediate access to, the full Project Gutenberg License must appear prominently whenever any copy of a Project Gutenberg work (any work on which the phrase “Project Gutenberg” appears, or with which the phrase “Project Gutenberg” is associated) is accessed, displayed, performed, viewed, copied or distributed:

This eBook is for the use of anyone anywhere in the United States and most other parts of the world at no cost and with almost no restrictions whatsoever. You may copy it, give it away or re-use it under the terms of the Project Gutenberg™ License

included with this eBook or online at www.gutenberg.org. If you are not located in the United States, you will have to check the laws of the country where you are located before using this eBook.

1.E.2. If an individual Project Gutenberg electronic work is derived from texts not protected by U.S. copyright law (does not contain a notice indicating that it is posted with permission of the copyright holder), the work can be copied and distributed to anyone in the United States without paying any fees or charges. If you are redistributing or providing access to a work with the phrase “Project Gutenberg” associated with or appearing on the work, you must comply either with the requirements of paragraphs 1.E.1 through 1.E.7 or obtain permission for the use of the work and the Project Gutenberg trademark as set forth in paragraphs 1.E.8 or 1.E.9.

1.E.3. If an individual Project Gutenberg electronic work is posted with the permission of the copyright holder, your use and distribution must comply with both paragraphs 1.E.1 through 1.E.7 and any additional terms imposed by the copyright holder. Additional terms will be linked to the Project Gutenberg License for all works posted with the permission of the copyright holder found at the beginning of this work.

1.E.4. Do not unlink or detach or remove the full Project Gutenberg License terms from this work, or any files containing a part of this work or any other work associated with Project Gutenberg.

1.E.5. Do not copy, display, perform, distribute or redistribute this electronic work, or any part of this electronic work, without prominently displaying the sentence set forth in paragraph 1.E.1 with active links or immediate access to the full terms of the Project Gutenberg License.

1.E.6. You may convert to and distribute this work in any binary, compressed, marked up, nonproprietary or proprietary form, including any word processing or

hypertext form. However, if you provide access to or distribute copies of a Project Gutenberg work in a format other than “Plain Vanilla ASCII” or other format used in the official version posted on the official Project Gutenberg website (www.gutenberg.org), you must, at no additional cost, fee or expense to the user, provide a copy, a means of exporting a copy, or a means of obtaining a copy upon request, of the work in its original “Plain Vanilla ASCII” or other form. Any alternate format must include the full Project Gutenberg License as specified in paragraph 1.E.1.

1.E.7. Do not charge a fee for access to, viewing, displaying, performing, copying or distributing any Project Gutenberg works unless you comply with paragraph 1.E.8 or 1.E.9.

1.E.8. You may charge a reasonable fee for copies of or providing access to or distributing Project Gutenberg electronic works provided that:

• You pay a royalty fee of 20% of the gross profits you derive from the use of Project Gutenberg works calculated using the method you already use to calculate your applicable taxes. The fee is owed to the owner of the Project Gutenberg trademark, but he has agreed to donate royalties under this paragraph to the Project Gutenberg Literary Archive Foundation. Royalty payments must be paid within 60 days following each date on which you prepare (or are legally required to prepare) your periodic tax returns. Royalty payments should be clearly marked as such and sent to the Project Gutenberg Literary Archive Foundation at the address specified in Section 4, “Information about donations to the Project Gutenberg Literary Archive Foundation.” • You provide a full refund of any money paid by a user who notifies you in writing (or by e-mail) within 30 days of receipt that s/he does not agree to the terms of the full Project Gutenberg™ License. You must require such a user to return or destroy all copies of the works possessed in a physical medium and discontinue all use of and all access to other copies of Project Gutenberg™ works. •

You provide, in accordance with paragraph 1.F.3, a full refund of any money paid for a work or a replacement copy, if a defect in the electronic work is discovered and reported to you within 90 days of receipt of the work. • You comply with all other terms of this agreement for free distribution of Project Gutenberg™ works.

1.E.9. If you wish to charge a fee or distribute a Project Gutenberg™ electronic work or group of works on different terms than are set forth in this agreement, you must obtain permission in writing from the Project Gutenberg Literary Archive Foundation, the manager of the Project Gutenberg™ trademark. Contact the Foundation as set forth in Section 3 below.

1.F.

1.F.1. Project Gutenberg volunteers and employees expend considerable effort to identify, do copyright research on, transcribe and proofread works not protected by U.S. copyright law in creating the Project Gutenberg™ collection. Despite these efforts, Project Gutenberg™ electronic works, and the medium on which they may be stored, may contain “Defects,” such as, but not limited to, incomplete, inaccurate or corrupt data, transcription errors, a copyright or other intellectual property infringement, a defective or damaged disk or other medium, a computer virus, or computer codes that damage or cannot be read by your equipment.

1.F.2. LIMITED WARRANTY, DISCLAIMER OF DAMAGES - Except for the “Right of Replacement or Refund” described in paragraph 1.F.3, the Project Gutenberg Literary Archive Foundation, the owner of the Project Gutenberg™ trademark, and any other party distributing a Project Gutenberg™ electronic work under this agreement, disclaim all liability to you for damages, costs and expenses, including legal fees. YOU AGREE THAT YOU HAVE NO REMEDIES FOR NEGLIGENCE, STRICT LIABILITY, BREACH OF WARRANTY OR BREACH OF CONTRACT EXCEPT THOSE PROVIDED IN PARAGRAPH 1.F.3. YOU AGREE THAT THE FOUNDATION, THE TRADEMARK OWNER, AND ANY

DISTRIBUTOR UNDER THIS AGREEMENT WILL NOT BE LIABLE TO YOU FOR ACTUAL, DIRECT, INDIRECT, CONSEQUENTIAL, PUNITIVE OR INCIDENTAL DAMAGES EVEN IF YOU GIVE NOTICE OF THE POSSIBILITY OF SUCH DAMAGE.

1.F.3. LIMITED RIGHT OF REPLACEMENT OR REFUND - If you discover a defect in this electronic work within 90 days of receiving it, you can receive a refund of the money (if any) you paid for it by sending a written explanation to the person you received the work from. If you received the work on a physical medium, you must return the medium with your written explanation. The person or entity that provided you with the defective work may elect to provide a replacement copy in lieu of a refund. If you received the work electronically, the person or entity providing it to you may choose to give you a second opportunity to receive the work electronically in lieu of a refund. If the second copy is also defective, you may demand a refund in writing without further opportunities to fix the problem.

1.F.4. Except for the limited right of replacement or refund set forth in paragraph 1.F.3, this work is provided to you ‘AS-IS’, WITH NO OTHER WARRANTIES OF ANY KIND, EXPRESS OR IMPLIED, INCLUDING BUT NOT LIMITED TO WARRANTIES OF MERCHANTABILITY OR FITNESS FOR ANY PURPOSE.

1.F.5. Some states do not allow disclaimers of certain implied warranties or the exclusion or limitation of certain types of damages. If any disclaimer or limitation set forth in this agreement violates the law of the state applicable to this agreement, the agreement shall be interpreted to make the maximum disclaimer or limitation permitted by the applicable state law. The invalidity or unenforceability of any provision of this agreement shall not void the remaining provisions.

1.F.6. INDEMNITY - You agree to indemnify and hold the Foundation, the trademark owner, any agent or employee of the Foundation, anyone providing copies of Project Gutenberg™ electronic works in accordance with this agreement,

and any volunteers associated with the production, promotion and distribution of Project Gutenberg™ electronic works, harmless from all liability, costs and expenses, including legal fees, that arise directly or indirectly from any of the following which you do or cause to occur: (a) distribution of this or any Project Gutenberg work, (b) alteration, modification, or additions or deletions to any Project Gutenberg work, and (c) any Defect you cause.

Section 2. Information about the Mission of Project Gutenberg

Project Gutenberg is synonymous with the free distribution of electronic works in formats readable by the widest variety of computers including obsolete, old, middle-aged and new computers. It exists because of the efforts of hundreds of volunteers and donations from people in all walks of life.

Volunteers and financial support to provide volunteers with the assistance they need are critical to reaching Project Gutenberg's goals and ensuring that the Project Gutenberg collection will remain freely available for generations to come. In 2001, the Project Gutenberg Literary Archive Foundation was created to provide a secure and permanent future for Project Gutenberg and future generations. To learn more about the Project Gutenberg Literary Archive Foundation and how your efforts and donations can help, see Sections 3 and 4 and the Foundation information page at www.gutenberg.org.

Section 3. Information about the Project Gutenberg Literary Archive Foundation

The Project Gutenberg Literary Archive Foundation is a non-profit 501(c)(3) educational corporation organized under the laws of the state of Mississippi and granted tax exempt status by the Internal Revenue Service. The Foundation's EIN or federal tax identification number is 64-6221541. Contributions to the Project Gutenberg Literary Archive Foundation are tax deductible to the full extent permitted by U.S. federal laws and your state's laws.

The Foundation's business office is located at 41 Watchung Plaza #516, Montclair

NJ 07042, USA, +1 (862) 621-9288. Email contact links and up to date contact information can be found at the Foundation's website and official page at www.gutenberg.org/contact

Section 4. Information about Donations to the Project Gutenberg Literary Archive Foundation

Project Gutenberg™ depends upon and cannot survive without widespread public support and donations to carry out its mission of increasing the number of public domain and licensed works that can be freely distributed in machine-readable form accessible by the widest array of equipment including outdated equipment. Many small donations ($1 to $5,000) are particularly important to maintaining tax exempt status with the IRS.

The Foundation is committed to complying with the laws regulating charities and charitable donations in all 50 states of the United States. Compliance requirements are not uniform and it takes a considerable effort, much paperwork and many fees to meet and keep up with these requirements. We do not solicit donations in locations where we have not received written confirmation of compliance. To SEND DONATIONS or determine the status of compliance for any particular state visit www.gutenberg.org/donate.

While we cannot and do not solicit contributions from states where we have not met the solicitation requirements, we know of no prohibition against accepting unsolicited donations from donors in such states who approach us with offers to donate.

International donations are gratefully accepted, but we cannot make any statements concerning tax treatment of donations received from outside the United States. U.S. laws alone swamp our small staff.

Please check the Project Gutenberg web pages for current donation methods and addresses. Donations are accepted in a number of other ways including checks,

online payments and credit card donations. To donate, please visit: www.gutenberg.org/donate.

Section 5. General Information About Project Gutenberg electronic works

Professor Michael S. Hart was the originator of the Project Gutenberg concept of a library of electronic works that could be freely shared with anyone. For forty years, he produced and distributed Project Gutenberg eBooks with only a loose network of volunteer support.

Project Gutenberg eBooks are often created from several printed editions, all of which are confirmed as not protected by copyright in the U.S. unless a copyright notice is included. Thus, we do not necessarily keep eBooks in compliance with any particular paper edition.

Most people start at our website which has the main PG search facility: www.gutenberg.org.

This website includes information about Project Gutenberg, including how to make donations to the Project Gutenberg Literary Archive Foundation, how to help produce our new eBooks, and how to subscribe to our email newsletter to hear about new eBooks.