

FAITHFUL WITNESS-BEARING EXEMPLIFIED:

A

COLLECTION.

CONTAINING,

I. An Useful CASE OF CONSCIENCE, concerning Association with Idolaters, Infidels, Heretics, Malignants, &c.

By Mr. HUGH BINNING.

II. A Solemn TESTIMONY AGAINST TOLERATION, and the prevailing Errors, Heresies, &c. by the Commissioners of the General Assembly, and by sundry Ministers in the Provinces of Perth and Fife.

III. THE HISTORY OF THE INDULGENCE.

By Mr. JOHN BROWN, sometime Minister of the Gospel at WAMPFRAY.

To which is prefixed, a

P R E F A C E,

Concerning Association, Toleration, and what is now called
LIBERTY OF CONSCIENCE.

Isa. viii. 12. *Say ye not, A confederacy, to all them to whom this people shall say, A confederacy, &c.*

Gal. v. 12. *I would they were even cut off which trouble you.*

Eph. i. 22.-----*And gave him to be Head over all things to the church.*

K I L M A R N O C K :

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P R E F A C E

To the R E A D E R.

Judicious and impartial Reader,

TRUE and undefiled religion, consisting in an inward and spiritual knowledge, and firm belief of divine truth, faith in, love to, and union with a God in Christ, manifested and set forth in a regular service of worship, and acknowledgement in obedience to him, is (next to the object of worship itself) one of the most inestimable blessings and privileges that we finite creatures can possibly be possessed of, or enjoy. But as the professors of religion, by the fall, are become mutable creatures, and subjected thereby unto an erring conscience, (not to mention false religions, or the worshipping of false deities) the ordinances, doctrine, worship, discipline, and government of the Christian church has been by them perverted, corrupted, adulterated, and metamorphosed into many and various forms and modes; which occasioned Christ's faithful witnesses, in all the periodical ages of the church, to contend for its purity, in opposition to every one of these, in as far as they were dissonant to the staminal laws of Christ's house, or platform laid down in the book of divine revelation, of which the following Collection is a part and specimen.

For the compilers of these pieces; their characters and works are, I suppose, too well established, to stand in need of any thing commendatory here. Their works *praise them in the gates*; and their memory, I hope, shall yet blossom in the dust, and both shall be savoury to some, while reformation principles are regarded in Scotland. As to this part of their contendings, tho' the paucity of the copies, at present, were a sufficient apology for their republication *; yet it has

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been

* For the first and last of these pieces, it appears there have never been another than the first Holland edition. Of the Solemn Testimony, &c. I suppose there has never been an edition since the 1649, when it was published. For the Testimony of the ministers of Perth and Fife, it was reprinted 1729; but the following copy is printed from the first, at least the edition published 1660.

been suggested by some friends, that in setting forth the necessity and utility of such a subject, in a way of application to our present circumstances, something more was expedient. And in this, although we might take the import, or general acceptation of the words, *Association---Toleration---and Indulgence*, to be of a piece, being near one signification, viz. A joining with, a permitting of, and conniving with these, or that which is not by the divine law allowable; yet I shall just distinguish these three by their capital names, and then notice some contrary objections made in favour of Toleration, and what is now called Liberty of Conscience. And,

I. ASSOCIATION with Idolaters, &c. The sinfulness of which, being in the subject itself sufficiently proven from scripture already, I shall only here, with the learned Mr. Gillespie, on the same point, observe; That associations with idolaters and malignant enemies of God and his church, has all along been no less unsuccessful than unlawful, (as the whole suffrage of scripture and history declare) which drew unto both great sins and judgments; and so to great security and stupidity under these, which makes the estate of such to grow worse and worse, as has been exactly the case with us in these lands, from first to last.---Witness the occasion of writing this Case, when the resolutions took place; when known malignants, and, with them, that perfidious malignant wretch Ch. Second was taken into places of power and trust, civil and military:---Witness the time when it was published, very soon after the revolution, when a part of the suffering remnant had not only been ensnared, to a regimenting with perjured, murdering, apostate enemies of Christ's cause at home; But even an association was, by the supreme leader, made with the popish powers abroad; yea, even with the pope himself, the king of France and his associate only excepted*.---A third association took place 1707, when a confederacy was struck with the kingdom and prelatical constitution of England; and tho' that was thought to be advantageous for the commercial concerns of this nation; yet it was

* It was said, that when first published, it was like to have some influence on some of King William's soldiers, then in Flanders; for which they gathered in all the copies they could come by, and caused Mr. Kid, the publisher, to be apprehended, about the year 1692, and for which he suffered a long imprisonment at Utrecht in Holland.

The P R E F A C E.

was still, by the more thinking part of the nation, accounted a relinquishing and giving up with the civil and religious liberties of the nation. Ancient Caledonia had appeared all along formidable unto her enemies; she was productive of men who made them know that their resolutions were, *Nemo me impune laceffet*: Provoke me at your peril. But how soon is a warlike nation become an effeminate people! Once free and independent, now subjected to an English parliament; where, in political matters, being ten to one, we can have no equality, much less a majority of voices. And although an act of security, in matters of religion, was granted or obtained; yet an act, at the same time, was made an essential part of the Union establishing abjured prelacy in England, which put episcopacy on an equal footing with presbytery, and not only was contrary and inconsistent with our covenants; but also for ever bound up from any endeavours for a revival of that happy reformation and uniformity in religion, that once subsisted between and was the glory of these covenanted nations. And how that windle-straw act of security (for so I may call it) has been kept by them, the many encroachments that have been, and daily is made upon the church, and Christ's crown-rights, may bear witness. And no wonder, when we had proved unfaithful to Christ and his cause, that men be left to prove perfidious to us; the fruits of which, both in church matters and mens morals, we soon, to our dear bought experience, felt. Else what means the sacramental test, imposed on statesmen; the superstitious form of swearing by kissing the gospel; the Toleration Bill; patronage act; and Porteous' act; proclamations for fasting; and oaths imposed on church-men, all under severe penalties; perfidious dealing with a multiplicity of unlawful and unnecessary oaths, in tax and trade, are multiplied and reiterated. Our nobility go to England to spend their time and money, and English fashions come thereby in vogue. Profanation of the Lord's day, uncleanness, cursing, swearing and blaspheming, becomes still more common and recent.—Religion and family worship gradually wears out; and societies for the reformation of manners, and other religious exercises, becomes languid and daily dwindles away. And what is the baneful consequence of all, a fatal association takes place with papists; men and money is from them collected, for the present exigence; the same takes place with both contending parties on both sides of the Atlantic; a long protracting

ing, oppressive and wasting war hitherto seems to be the result of the matter, which makes me hazard to say, that the regimenting with such, either in army, militia, town-guards, &c. must be no less unlawful than unsuccessful, and calls aloud for a testimony against association with malignants, and points out the necessity of having such a subject set before us †.

II. TOLERATION. The sinfulness of this being, in the following Testimonies fully proven from precept, and the practice of the reforming kings of Judah, &c. I shall only add, that under the New Testament dispensation, its ends have been bad, and its consequence evil. Instance Julian the apostate; when he could not root out Christianity otherwise, granted a kind of toleration to all kinds of religion, in these words*: *Ut consopitis civilibus discordiis sua quisque religioni serviret intrepidus*. What was the consequence? The Christian church became secure, and fell still from one error into another, till almost drowned by the Arian heresy. Charles V. or rather Max-----n the II. granted a liberty to papists and protestants, at the diet of Ausburgh: The event was, the protestant, or Lutheran church daily lost ground, and broke in factions, till it was almost reduced to nothing. Again, in our own lands, Cromwell, when he could not get the covenanted uniformity overturned all at once, in favour of his beloved Independency, he granted a toleration to all sects and sectaries, papist and prelatic only excepted; and though this was none of the worst tolerations, yet we find it, in the following pages, faithfully witnessed against. It had the effects desired. The beautiful uniformity was broke; the woful resolutions having before taken place; unity and harmony amongst church members bade her a final adieu; error increased, and all went to wreck, until they were cast into the furnace of persecution altogether. James VII. when he could,

† From the above, let none conclude, that I am against all defending our civil and religious rights and privileges, in opposing a foreign or intestine enemy: No, far from it. But let every one who professes to own and adhere to the whole of a covenanted work of reformation, do it in such a way as the word of God allows, and the covenanted testimony of the reformed church of Scotland will admit of. But, say not, *A confederacy, to all them to whom this people shall say, A confederacy, &c.*

* Vide Ludovicus Molineus, p. 560.

could, by no mean or method, get his beloved popery established, he granted a toleration for all (the faithful followers of the Lamb, his great eye-fore, only excepted;) the consequences of which, from the histories of these times, may be obvious to all. Soon after the revolution, when King William could not effect a repeal of the Test Act, he obtained a kind of toleration for English dissenters, quakers, anabaptists, &c. but with such clauses and restrictions, that it was of little benefit to presbyterians. Perhaps his ends were not so bad, yet it laid the foundation for that toleration granted 1712, to episcopals in Scotland, and, with them, almost all manner of error, heresy and profanity whatsoever; which now increases to such a degree that he that runs *may read it. Because Ephraim hath made many altars to sin; altars shall be to him to sin.* In the last century, a stated uniform profession of religion was thought an indispensable duty by all; and tho' our forefathers were sometimes divided in their opinions in religion, yet, for the most part, they valued themselves upon a steady and tenacious adherence to their respective systems: But any religion, or no religion, seems to be the characteristic of this age or generation. The deistical legions have set their engines to work to shake them loose, by rendering every doctrinal point, which cannot be deduced or supported by reason, doubtful; in which they have so far succeeded, that the presbyterian form of church government came first to be controverted; then all tests of orthodoxy comes to be rejected and arraigned for folly, illiberal sentiments, bigotry, &c. a motley communion and liberty of conscience, or rather a liberty to licentiousness, is introduced, which has not a little been fomented by the chimes of novelty, and confirmed by the appearance of the Methodist and Moravian tribes; so that there is almost not one old condemned heresy, since the commencement of Christianity, but what, in one dress or other, now appears upon the stage; yea, popery itself now makes wide strides and long steps into these nations, which, no doubt has a loud call for publishing a testimony against such tolerations*.

III. IN-

* That this is no shot at random, or groundless charge, are not the following heretical notions now held and maintained amongst others? That divine revelation is no certain rule for man's life and actions, with Blount—That the Old Testament is not
neces-

III. INDULGENCE---The sin of both granting and accepting of which, being fully held forth and illustrated in the History itself, and Mr. M'Ward's Preface to it, I have only to observe, that it is conspicuous from history, that the Indulgence, first and last, was calculated to divide the presbyterians, and to exterminate the gospel faithfully preached in the fields. And further, that although severals of these who accepted of it, we shall suppose, were good men, and pretended still to assert Christ's Headship in and over the church; yet they were so far left of God, as to receive their mission to preach in such or such places, from king and council, under such limitations and restrictions as bound them up from a faithful and free discharge of that trust committed to their charge;

necessary now for salvation, with Marcion---That several places, yea books, in scripture is not divine inspiration, with Morgan---That Christ is not God essential with the Father, with Arius---That he was not born of the substance of the virgin, but only the personal Word, with Valentine---That he had a pre-existent human soul before his incarnation, with Euth---s---That he is to be preferred before the Father, with Zinzenderf---That Christ died for all men, with Arminius---That we are to believe nothing but what we can by reason comprehend, with Socinius---That the heathen may be saved by the light of nature, with Tindal---That man has yet a free will, and that there is no original sin, with Pelagius---That infants ought not to be Baptized, and adults rebaptized, with Hut and Storkius---That the fourth commandment is not morally binding, with Coec---n---That all kinds of religion ought to be tolerated, with Best---That the supreme magistrate is head of all causes and persons, civil and ecclesiastic, with Erastus---That he hath nothing to do with religion, with Donatus and Glas---That no man ought to be punished for his opinions or heresy, with Lullius---That every man shall be saved by the religion he professeth, if sincere, with Rhetorius---That we have no warrant for any certain profession or form of church government, with Quintinus and W---f---y---Nor warrant for covenanting, with Sagarellius and G---s---That Christians ought not to defend their religious privileges with arms, with Tertul---That laymen may preach, &c. with B---o---n---That it is inconsistent with the goodness of God to punish his own creatures eternally, with C---f---d---That there shall be an universal resurrection of every creature, with R---o---That there shall be no resurrection at all, with Cerdon---That hell torments are not eternal, but for a long time, with Orig---That there are neither heaven nor hell, with Sadoc, Almaricus and Albanes.

charge; and it was observable, that from that time they exchanged Christ their Head for a man, and one of the vilest of men; that they became lax and remiss, both in point of doctrine and discipline; and that their preaching had no success upon the hearts of the hearers, as it had upon those who heard the gospel faithfully preached in the fields.---And, to bring the case home, how many ministers are there now in the church of Scotland, who receive their mission by presentation from king or patron, to such or such a place, before whose pulpits, perhaps, you may attend a life-time, before you hear Christ's Headship and crown rights asserted, which is worse than the indulged.---And for a free and faithful doctrinal testimony concerning the sins and duties of the times, it is in many places quite gone; and church discipline is so curtailed, that it rather looks like popish absolutions and indulgences, than the censure of the church of Christ.---And are there not many now-a-days, who assert Christ's Headship plainly, and yet virtually doth that which homologates and strengthens Erastian power? Nay, it is to be lamented, that some whom, in charity, we must suppose wish well to a covenanted work of reformation, yet, to increase and maintain a party, are become too lax and remiss, both in the admission of intrants to their profession, and persons to sealing ordinances, not to speak of church censure; and what is the consequence of all this? The wonted life and power of the gospel is comparatively no more; and for a testimony bearing, though the most part mind only their own case and worldly interest, yet there are a variety of cases. For while some are waving with every breeze of modish doctrine, others are clashing against one another, under the turbulent winds of error and division.---A third sort are so attached to what they call the religion of their fathers, that they will not admit of a demonstration of argument clear as sunshine, in favour of the truth. A fourth kind will, at first hand, tell you, "They are now too old; it is not worth their while now to change their profession," &c. So that truth must, on all these accounts, stand aloof on the other side, with a very small retinue. And what can be the causes of all this, with a daily decay of practical religion, but with those indulged (many of whom were old public resolutioners) our apostacy from God and a covenanted work of reformation? *Hast thou not procured this unto thyself, in that thou hast forsaken the Lord thy God, when he led thee by the way?* To notice all the contrary

trary objections that has been or is mustered up in favours of toleration and liberty of conscience (the most of whom are more plausible than solid) were beyond my design, and what the limits of a preface will admit of; I shall therefore only touch at a few of those who are commonly and constantly urged and used in the present time*.

Object. I. *No authority can bind without the authority of conscience; therefore every man has a right to profess every religion or mode of worship, the light of his own conscience directs him unto.* To this I might answer,

1. That could we suppose conscience to be the supreme rule, ruling, and not the rule, ruled, to man's actions in a lapsed state, this might hold good. But conscience, or the reflecting powers of the mind, is no lawgiver, but a witness, or judge, as God's deputy in the soul, (as some divines term it,) it enquires into the meaning of God's word, the supreme and infallible rule; it compares qualities, principles, and practices therewith; and, if well informed and faithful, it directs, approves, accuses, or condemns accordingly. Man has a right to judge only of what the word of God reveals to him, and under the pain of sin and rebellion practise it. *If they speak not according to this word, it is because there is no light in them.*

2. If conscience were the only rule, it behoved not only to take the lead before the Most High, but also to be perfect, which is expressly contrary to God's word; there it is called, *an erring conscience---a hardened conscience---feared as with a hot iron---an evil conscience.* Says the apostle, *to the defiled and unbelieving, nothing is pure, but even his conscience is defiled.* Here is the depravity of man's conscience.

3. If this were the lawgiver, then there could be no persecution for righteousness sake, and consequently no martyrs, none being more zealous than some vigilant persecutors. Says the King of sufferers to his followers, *The days will come, that whosoever killeth you, will think he doth God good service.* This was exemplified in the life of Paul, and others that have not obtained the like cast of mercy, *I verily thought (says he) that I ought to do many things contrary to the name of Jesus of Nazareth. I persecuted them to strange cities, &c.* Here was a zealous, but an erring conscience; and was this a rule in truth and duty.

4. In

* See a great number of objections fully answered in a pamphlet, intitled, *Absurdity and perfidy of all authoritative Toleration.*

4. In this case, the most damnable opinion ever broached, would be brought on an equal footing with the most sublime truth revealed in God's word. For instance, none are more vigilant and diligent than a Turk or Musselman, who worships a vile impostor; none more zealous than an unbelieving Jew; none more bigotted and superstitious than a papist, who worships God under the similitude of stocks and stones; none more argumenting than our deistical gentlemen; and none more full of reasoning than the catechumens of Arius, Pelagius, Socinius, and Arminius. And must all these have a liberty, in a reformed Christian land, to vend and disseminate their opinions, seeing they all will plead conscience for it? Nay, it would account for murders, thefts, &c. seeing it is sometimes as difficult to convince the one of a mistake as the other. But men are culpable and punishable, not for what conscience, as God's deputy in the soul, declares or directs to, but what they would not have done, had they had a proper sense of sin and duty. *Prove all things, and hold that which is good.*

Object. II. *To molest men for their religious opinions, is persecution, and the very spirit of popery.* To this I shall only reply,

1. That in a proper sense, no person can possibly be persecuted but for righteousness sake. Wherever we have the word persecution, in our translation, applied to the wicked, it is commonly, in the original or Dutch translation, *pursue*: So that none can be persecuted but the professors of the religion of Jesus. Those that profess the contrary notions in religion, may be punished, but properly cannot be persecuted. Besides, there is what is called a tongue-persecution; *Come, let us smite him with the tongue*, said the people to the prophet; and why may the censures of the church on such, be on that account called persecution? And if not, may not the state use their authority, seeing both are God's ministers, tending to one good, God's glory, the salvation, peace, safety, and welfare of mankind, though different and distinct in their persons and offices.

2. Our reformers, and their successors, all along maintained the duty of defending their civil and religious privileges, but never propagated that religion by sword, fire and faggot, as papists have done. And notwithstanding of civil penalties, they never used violent measures in forcing men to a profession without a proper conviction of the truth; or were

they rigorous in punishing heretics, although they had both scripture, and the practices of the best reformed states, for a precept and precedent for it *. Says the fore-named gallant reformer, on this point and period, "Men are no otherwise forced, or drawn into the covenant than other necessary duties; nay, it ought not to be called a forcing or compelling; are men forced to spare their neighbour's life, because murders are committed?---These that refuse the the covenant, reproach it, or rail against it, ought to be looked on as enemies to it, and dealt with accordingly. Yet if any man were known to take the covenant against his will, he were not to be received †," &c. And, for conscience, did they ever trouble any for it, if it came no further? Says the presbytery of Edinburgh, in their Testimony against Toleration 1659, "We know this truth of God (meaning their testimony) will be reckoned as a persecuting men for their conscience, &c. but as we disclaim troubling men for the simple light of their conscience, if it break not forth in doctrine and practice; so the scripture has taught us, that persecuting is only a putting a man to suffer for righteousness sake, and not the restraining of damnable errors," &c.

Object. III. *No man ought to be molested on account of his opinions in religion, if he disturbs not the state, or is dangerous to civil society.* This objection being made by some of the English sectaries last century, and better answered by the fore-named learned Mr. Gillespie, than what I can pretend to do, I shall only, with him, shortly observe,

That by this way of reasoning, the profession of religion is only made a tool subservient to civil and political interest, and religion itself is thereby made only an appendage to the state; but even, keep them upon the edge of their own arguments,

* For precept, see Deut. xiii. 5. xviii. 20. Zech. xiii. 3. Rev. xvii. 16. and president; was not the blasphemer and sabbath-breaker, stoned; Ball's prophets, by Elijah's orders, killed; the like was done by Aza and Josiah, reforming kings of Judah. Was not Bolsec, for vending the Pelagian heresy, free will, &c. banished Geneva? Was not Severus, by the consent of the reformed churches, burnt there, for the Arian heresy, 1553? Was not Gentiles beheaded and burnt for espousing the same damnable opinions? Was not Naylor imprisoned, and his tongue bored, by the parliament of England, for his blasphemous notions, 1656?

† Gillespie's Misc. Quest. chap. xiv.

guments, has there not been many who have broached and vended the most blasphemous and damnable notions and opinions, and yet have never given the least molestation to the state, or perhaps to civil society? Either * must these bold contemners of God's word, and the divinity and ordinance of Jesus Christ, pass on with impunity? Is it a criminal partiality to punish the cursing of an earthly father, yet to suffer the reproaching of a Trinity? to cut off a man for a treasonable word, yet to let go unpunished a blasphemer of Christ? to hang a man for forging another man's hand, and yet not chastise a false teacher, who utters damnable lies in the name of the Lord? To punish a petty theft or robbery, and yet let go those who endeavour to rob the great God of a Son, and his Son of his Godhead? As the above author, from his antagonist's words, well observes, "Is not the mischief of a
 " blind guide, greater than if he acted treason, &c.-----
 " And the loss of one soul, by seduction, greater mischief,
 " than if he blew up parliament, cut the throat of kings or
 " emperors, so precious is that invaluable jewel of a soul." And (says he) "when the church of Christ sinketh in a state, let not that state think to swim. Religion and righteousness must flourish or fade away, stand or fall together. They who are false to God, shall never prove faithful to men †," &c.

Object. IV. *The civil magistrate has nothing to do with the church; and to give him any power, in matters of religion, is downright Erastianism.* I answer, Not so fast, till we enquire what kind of power. And,

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* To illustrate truth by facts, I could instance a man who openly and avowedly denied the being of a God, and blasphemed the second person of the Trinity, at one of the public toll-bars of the nation; and tho' a man of public business, I suppose no man could impeach him, either of molestation to the state or partiality in his civil dealings.—I could mention another, who blasphemed the incarnation of Christ, put the ministers of the place to a defiance, to prove that there were either God, devil, angel, or spirit; and yet none was more obliging to his neighbours, and civil in his dealings betwixt man and man. &c. The first of these was excommunicated by the church, and died about a year ago, under a misery of torment. And being asked, of a future state, he said, Of that he was not sure, but he wished to be out of the present tormenting condition, and thus expired.

† Misc. Quest.

1. Negatively, he is not to have the power of the keys of doctrine and discipline in the church, as Erastus would have had it; nor is he to be acknowledged the supreme head of all causes and persons, civil and ecclesiastic, (which is much the same) with the Erastian constitution of England. But,

2. And positively, we must allow the lawful and rightly constitute magistrate a cumulative, imperative power, to command and strengthen church officers in their duty, but not an elective or privative power to detract any thing from the church's authority. He ought to be a keeper of both tables of the law; *Custos et vindex utriusque tabula*; intrusted with the concerns of God's glory, as well as the interest of men; and so must have a special and particular care and regard to this precious *deposita*, in all his public management. That is, he should profess, support, and defend the true religion, in the church of Christ, and its professors in the exercise thereof; and to suppress the propagation or propagators of idolatry, blasphemy, error, or damnable heresy, and not establish or tolerate them. I do not say, that he is absolutely to judge of these, as a magistrate, but I say, with Mr. Rutherford, "That he is to try doctrine, discipline, and the decrees of the church, as a Christian; and, at their determination, punish the contraveners, as a magistrate, (by virtue of his power and authority;) for he is the minister of God, and *beareth not the sword in vain* *," &c.

The whole suffrage of scripture bear testimony to this. In the patriarchal age, says the Lord concerning Abraham, *I know that he will command his children, and his household after him*, &c. And says Job, This (*viz.* idolatry) were an iniquity to be punished by the judge; which (according to the best of annotators) they were obliged to punish as well as other heinous crimes †. Again, under the law, it is often commanded by the Lord, that the idolater or false worshipper should be punished or put to death; "which penal statutes," (says the learned Shields) under the Old Testament, are "not abrogated; for they are moral ‡. And as one of the bad effects, by want of a stated magistracy, it is twice, in the book of Judges, said, *At that time there was no king in Israel, and every man did that which was right in his own eyes.*

And,

* Vide his sermon before the House of Lords 1645.

† So Poole—Diodati—Dutch Annota.—Henry, &c.

‡ In a lecture delivered at Distinction Hill 1688.

And, for the whole race of the kings of Judah and Israel, we find, they were either commended or condemned by the Spirit of God, as they established or not established the true religion and worship of God, and punished or permitted idolaters or an idolatrous worship, and not for their administration of justice on other malefactors. For the New Testament times, it is promised, that kings and queens should be nursing fathers and mothers to the church; which parental power plainly imports, a maintaining, defending and chastising. It is also said, in the last book of holy writ, of the kings of the earth, *These shall hate the whore, and make her desolate, and burn her with fire.*

But, say some, you must give us a positive text from the New Testament, else your arguing cannot be sustained. I answer, so said the heretics in the last century; and in answer to these, I might just notice what is advanced by that author (Mr. Gillespie) I have so much used in answer to them: By the same principles we may not hold it contrary to God's will, that a man may have his father's brother's wife, or that the magistrate ought not to put to death a blasphemer, incestuous person, a witch, an adulterer, (and I may add, a robber, murderer, &c.) because the scripture warrant, that makes these crimes capital, are in the Old and not in the New Testament. And it is evident, both from the following Collection, and the most part of the writings of our reforming and suffering ancestors, who wrote upon that subject, that they looked upon the precepts of the Old Testament to be morally binding, both in respect of the magistrate's power in the church, and in suppressing of error, profanity, and heresy; in proof of which, I might produce their testimony at large, but, for brevity's sake, I must confine myself unto a short specimen thereof, which the reader will find in the foot-note below *.

Object.

* Scots Confess. art. 24 —“ Moreover, to kings. princes, &c. we affirm. that chiefly and most principally the conservation and purgation of religion appertaineth: So that not only are they appointed for civil policy, but also for maintaining of the true religion, and for suppressing of idolatry and superstition whatsoever.” Westminster Conf. chap. xx. sect. 4. chap. xxiii. sect. 3. —“ Erroneous opinions or practices, may lawfully be called to account, and be proceeded against by the censure of the church, and by the power of the civil magistrate — It is his duty

Object. V. *Toleration is a good thing. By it we may live as good as we please. Our suffering forefathers would have been glad thus to have the liberty to serve God, every one in their own way, &c.*

The

“ duty to take order, that unity and peace be preserved in the church ; that the truth of God be kept pure and entire ; that all blasphemies and heresies be suppressed,” &c.

Larger Cat. quest. 109.—“ The sins forbidden in the second commandment, are all devising, counselling, commending, approving, tolerating a false religion.”

Mr. Knox —“ It is evident that the office of the king, or supreme magistrate, must have respect to the moral law, and to the conversation of both tables thereof.”

Mr. Alex. Henderson,—“ Princes are vicegerents to God and to his Son Jesus Christ, as he is God in his universal kingdom of providence ; and this watching of princes and magistrates is objectively ecclesiastical ; but, *formaliter civilis*, it is about matters of religion in a civil manner. The faithful support and preservation of religion is a part of their office. For they are not only keepers of the first, but of the second table of the law ; and to them appertaineth the vindication and defence of religion, against contempt, corruption, and abuse, &c.” Sermon before the House of Lord 1643.

Mr. Durham—“ Sure we are, in the Old Testament, magistrates were included in the command of restraining and punishing such as did entice to false worship. In the New Testament we find no repeat of the same. Both civil and church authority should be exercised for the restraining such evil workers, and punishing of them for hurting of the church of Christ, and dishonouring of his name.” Exposit. on Rev. ii. 20.

Mr. Rutherford—“ The king hath a chief hand in church affairs, when he is nursing father ; and beareth the regal sword to defend both tables of the law.” &c. *Lex Rex*, p. 141.

Mr. D. Dickson—“ The supreme magistrate is, *custos utriusque tabule*, a keeper of both tables of the law. If he may punish evil-doers, who offend against the second table, and force and compell them to obedience ; much more may he punish idolaters and blasphemers, who offend against the first table,” &c. *Truth's Victory*, &c. chap. xxiii.

Presbytery of Edinburgh—“ We find also that the magistrate's power, under the New Testament, is given for the punishment of evil-doers, Rom. xiii. 3, 4. Now, seduction (to error) is an evil deed,” &c. *Testim. against Toleration*, 1658.

Informatory Vindication—“ We allow the magistrate a power
“ over

The puerility of this objection may very easily be discovered; for, 1. We never find, in scripture or history, that any of the saints of God pleaded for liberty on this footing; as for our faithful sufferers, they could have had it, if they could have accepted of it on the same sinful terms with others. They found that every thing tolerated comes under the notion of a crime; and they judged their principles were founded upon the word of God, and the practice of the best reformed churches, and therefore stood in no need of a toleration of this kind.

2. It is true, it is a privilege to the professors of the true religion, to have the free exercise thereof, in a land where a false religion is established; but it is as great a loss to these, in a land where the true religion is established, when false religion, or damnable heresies are tolerated. For instance, the emperor of Germany has lately granted his protestant subjects the exercise of their religion, for which they have reason to bless God; but, properly, this is no more than their own just right, and so no toleration, as was the case with the church of the Jews under Cyrus. Again, the king of Prussia, and states of Britain and Ireland, have granted the like liberty to papists, &c. in England and Ireland; this is a toleration, and is what no king or state upon earth has a right to grant. And, for our present liberty, it does not proceed from any love in them to the true religion of Jesus Christ, or a covenanted work of reformation, (else what means all this

c.

noise

“over the outward things of the church. We own he may and ought to preserve both tables of the law, and punish, by corporal and temporal punishment, whether church officers or members, as openly dishonour God by gross offences, either against the first or second table, &c.” *p. 31, prior edition.*

Mr. Renwick—“It is the right duty of magistrates to use an imperative, coercive, and cumulative power about church matters, in commanding ministers to do their ministerial duties, presented to them by their only Head and Master Christ, in restraining idolatry, superstition, error, and profaneness,” &c. *Testimony against Toleration, p. 47. last edition.*

To these, with a number more, that I cannot properly here insert, I might add, the authority of the ministers in the province of London, and country palantine in Lancaster, in their Testimonies against Toleration, emitted March 1647, were it needful; but I flatter myself that the above may suffice at present to prove the assertion.

noise about popery ?) but for their political ends, and they are so far restrained.---That we may be as good as we please, at the same time we may live as bad as we will; and for whatever liberty we have to serve God in his own appointed way, we have him primarily to thank for it, as for all his other mercies.

Object. VI. *We are for no toleration but a scriptural one, or such as the scriptures do allow, forbearing one another in love, &c.* I answer, This can be no toleration at all. For my part, I could never find toleration, positive or negative, name or thing, in scripture; what is morally good being a commanded duty, needs no toleration, nay, cannot be tolerated (as has been observed already;) what is sin, or morally evil, none on earth can lawfully grant an immunity unto; and betwixt these there can be no medium, in point of truth and duty, make what distinctions we will.---For instance, Christian forbearance (that is, a bearing or sympathizing with one another's infirmities and weakness, not wickedness) being what is enjoined in scripture, can never come under the notion of a toleration. Again, whatsoever is contrary to the divine law, be it never so little, (if we may call any thing sinful little) we cannot forbear, permit, or tolerate in another, without suffering *sin upon our brother*. Hear what the Lord says, of what we may now understand by what is called a negative toleration, *Ye shall not do after the things that ye do here this day. Every man whatsoever is right in his own eyes* *.

But, after all, some will say, *What would you have us to do with heretics, papists, &c. must they be killed, &c.* Why, I answer, whatever the word of God allows. As to the merit of the crime, let them have it, and nothing more nor nothing less. There are more ways of punishment than to atone with the life.---And to say, we must tolerate papists here, that protestants may have the same liberty in popish countries, is to say, we ought to do evil that good may come of it: *But am I to sin* (says the apostle) *that grace may abound? God forbid.* The Lord will still provide chambers of safety for his own. Let us then, with that Israelitish general (tho' none of the best of men) resolve to *play the men for our people, and the cities of our God, and let the Lord do what seemeth him good.*

Upon the whole, in the following sheets, there is a faithful testimony against joining with God's malignant enemies, and for our covenanted uniformity, against all error, here-
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fy, &c. by the church in a collective body, and as individuals, with the state's return, approving of the same. But, alas! unto what a low pass are things now, in the same church and state, brought unto, when there is properly but one member in each, to withstand the introduction of popery into these nations†? And, for our covenants, they are not only denied and contemned, but even the gospel covenant is, by some, on their account ridiculed also. Ah, infatuated Britons! Ah, degenerated Scots! Men, who shall bewail your defection, treachery and apostacy. *They, like men, have transgressed the covenant: there have they dealt treacherously against me.---We unto them! for they have fled from me, &c.*

From the titles these pieces bear, no doubt, they will prove no way acceptable to not a few of the free-thinkers in this insidious generation; but it is still one of the effects of a full, free, and faithful testimony from Christ's contending witnesses, to *torment them that dwell upon the earth*. Let us then, not only publish and peruse these and their other contendings, but also emulate the noble confessors, and follow their example. Let us never flatter ourselves that a part, yea, half a testimony will be accepted or taken off our hand, by *the faithful and true Witnesses*. No, we must not leave one hoof of the truth behind us. If we will not do this, the Lord will find himself witnesses: He never has been, nor will be at a loss, so to speak, to find himself instruments to carry on his work, and promote his interest and declarative glory in the world. He had them before we were born, and will have them after we are buried.---And, if ever a time or season required testimony bearing, it must be now, when in these Britannic isles, once among the most priest-ridden of Antichrist's dominions, yet happily recovered from under that cruel yoke of bondage. Popery now, like a dying monster, is making its last efforts, by the ministry of *these locusts and lying frogs*, false prophets, &c. forming military associations amongst the kings of the earth, for its increase, preservation, and admiration. And tho' we have reason to trust in God, that he shall never fully re-conquer these covenanted lands; yet we had much need, in such a lethargic state of affairs, of strong and stimulating

† Instance Mr. Gillies, in the Gen. Ass. 1778, whose motion against popery, had but 24 votes against 113; and L. G. Gordon, in the parl. 1780, without one member in either House to support him.

ing application to every mean to re-animate fortitude, reformation, courage and zeal, and to promote a quicker circulation of true piety and witnessing graces; and more, when the Lord not only threatens to lift up his hand brandishing the sword of war, but also in his providential dispensation of the last season, seems to lay on his hand in breaking the staff of bread; so that, in many places of the land, *poverty comes as one that travelleth, and want as an armed man.*

And, to conclude, awful indeed are the signs of these confused, deluded and demented times: But *God lives and reigns.* May the Lord *arise and plead his own cause, and let his enemies be scattered: Let them that hate him, flee before him;* and graciously return again and claim his own ancient gift of possession of these isles of the sea, Britain and Ireland, in a full revival of an uniform covenanted work of reformation purity, to the utter extirpation of every error and heresy that now stands in opposition thereunto.---And as there is but one God, one Saviour, one faith, one baptism, one heaven, and the word of reconciliation is one, may all his professing people become *as one flock in his hand.*---And if the following Collection shall, through a divine blessing, in the hand of the Spirit, prove any thing helpful, for any of the said purposes, in this divided age, when so many jarring voices obtain and prevail, when the four winds seem to *strive upon the great sea* of the moral world, the end would be in some measure obtained.---For that *men may fear the Lord from the west, and his glory from the rising of the sun;* and when the enemy threatens to come in like a flood, may the *Spirit of the Lord lift up a standard against him,* is the desire and earnest prayer of one, who desires to be found amongst the favourers of the *dust of Zion.*

LOCHGOIN,
Jan. 18th, 1783.

JOHN HOWIE.

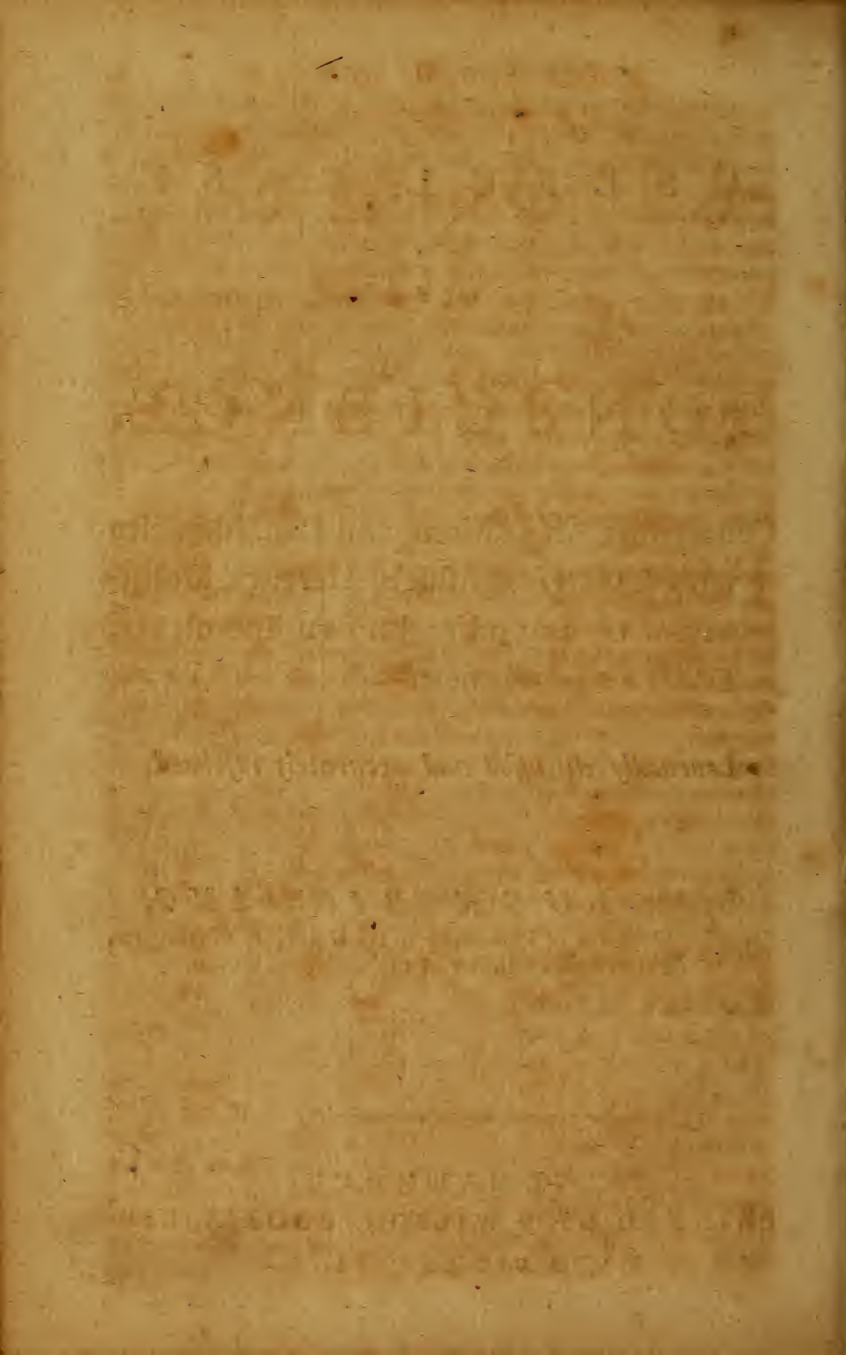
A N
U S E F U L C A S E
O F
C O N S C I E N C E,

Concerning Affociations and Confederacies
with Idolaters, Infidels, Heretics, Malig-
nants, or any other known Enemies of
Truth and Godliness,

Learnedly discussed and accurately resolved.

By Mr. *HUGH BINNING*,
Sometime Professor of Philosophy in the University of Glasgow,
and afterwards Minister of the Gospel at Govan.

K I L M A R N O C K :
P R I N T E D B Y J . W I L S O N , B O O K S E L L E R .
M . D C C . L X X X I I I .



CASE OF CONSCIENCE, &c.

That the present Public Resolutions and Proceedings, do import a Conjunction with the Malignant Party in the Kingdom, and of the Sin, Danger, and Scandal of that Way.

Sect. 1. *That there is a malignant party still in the kingdom.*

IN the entry to this business, the importunity of not a few makes it needful to speak somewhat to a question which unto this time hath been unquestioned, as beyond all exception; that is, *Whether there be yet in Scotland a malignant party? Or, Whether there be at this time any party who may and ought, in reason and Christian prudence, to be reputed and looked upon as malignant and disaffected to the covenanted cause of God?* It seems the more needful to speak somewhat of this, 1. Because some ministers are become slack and silent in this point, as if now there were no need of watchfulness and warning against any such party. 2. Because the expressions of many people of the land run that way, that there are now no malignants in Scotland, and that it is but a few factious ministers that will still keep up these names, that they may more easily, with others of their own stamp, weaken and divide the kingdom, for carrying on of their own ends. 3. Because the inclinations and resolutions of the public judicatories, in reference to most of the party who carried that name, doth clearly import that they do think they are no more to be looked upon as malignants, as appears from several of their papers; especially the letter written for satisfaction to the presbytery of Stirling. And therefore this must be laid down as the foundation of what follows: *That there is still in the land, not only a few persons, but a party considerable for number, power and policy, who are malignant and disaffected to the covenant and cause of God.*

We would join heartily in the desire of many, that these and other such like odious names of different parties and factions were taken away; but we cannot join in the reasons of this desire which are ordinarily given. We wish the name malignant were obsolete and antiques, if so be the thing itself, which is such a root of bitterness, were extirpated out of the church; yea, though the thing itself remained, if men would hate it for itself, and account it more odious and hateful than the name imports, we would be glad it were no more heard of. Because we find this prejudice by all such appropriated names, that people generally look upon that which goes under that name as the only sin: and as if there was not that root of bitterness, in all which it grows out of, in any; and so conceive themselves good Christians if they fall not under that hateful appellation of malignants. But seeing this bitter fruit of enmity against godliness and the godly, comes to more ripeness and maturity in many of this generation than in others, who yet are unconverted: And seeing it hath been the custom of the church of God in all generations, to discriminate many more ungodly and known haters of godliness and his people from the common sort of natural people, and to comprehend them under the names, of *wicked*, of *malignant*, of *enemies*, as may appear in the Old Testament, especially in the Psalms. And more especially in our days, that name hath been appropriated to such who have declared themselves in their words or actions to be haters of godliness and the power thereof, and his people, or have arisen to the height of actual opposition against these; we cannot be blamed for using such a name still, for distinction's sake. We proceed to some reasons.

(1.) The constant and continued proceedings of the General Assembly and their commissioners for many years past unto this day.

There is not almost any of their warnings, declarations or remonstrances, which doth not assert this, and warn against it; and that not only before the king's home-coming and taking of the covenant, but also since that time, as is evident by the Declaration emitted by the commission in July last; the Declaration of the Assembly itself, a little after; by the Declaration emitted at Stirling since the defeat at Dunbar; the Causes of the Fast upon that defeat; the Remonstrance to the king at Perth after his escape; together

ther with the Remonstrance given in by them to the parliament; all which do clearly hold forth this truth.

(2.) Take Christ's rule, *By their fruits ye shall know them.* There is a great party in the land that adhere to malignant principles; bring forth malignant fruits; and tread malignant paths, as may appear in these instances. (1.) A great many of these who have been formerly engaged in such courses, and under church censures, did lately conjoin together and rise in arms, and drew away the king from the public councils of the kingdom, and refused to lay down arms till they got conditions agreeable to their minds; which course of theirs was justly declared by the commission to carry upon it the stamp of malignancy in an eminent way. (2.) The seeking to promote and establish an arbitrary power in the person of the king, as it hath been still the endeavour of the malignant party, so it hath been always taken by the kirk of Scotland as one of their characters, and that there is a party now in Scotland, who still hold that principle and drive this design of arbitrary power is evident. First, because these same men, who were lately in arms, did not only take up arms upon the king's simple warrant, and without the knowledge, and contrary to the mind of the committee of estates; but also received the act of indemnity, and laid down arms, in obedience to the king's majesty, without so much as mentioning or acknowledging the committee of estates, as it is to be seen in a paper subscribed by them, and in the remonstrance of the commission of the General Assembly, dated at Perth, Nov. 29. 1650. the words whereof are these. *Your lordships should likewise consider, whether it doth not encroach upon the present constitution of government of this kingdom, and will not involve your lordships in the guilt of these mens sin, if you shall accept of their laying down of arms, merely upon the profession of obedience to the king's command, without any expression of their respect and obedience to the committee of estates, or any acknowledgement of their sin and offence: which we hope you will look upon as a most unnatural and unseasonable rending of the kingdom, in the time of this heavy opposition by a common enemy, and exposing the kingdom to all misery and ruin.* 2. It may be remembered that in the first model of the agreement which was made at Breda, that clause which doth concern the determining of civil matters in the interval of parliament, by such as are authorized by parliament for that effect, and the king's majesty

jeſty hearkening to their advice was wholly left out. And any who are acquainted with expreſſions and inclinations of ſundry great ones in the land, are not ignorant of their diſlike of a committee of eſtates, and their deſire to have the adminiſtration of matters, in the interval of parliament, wholly devolved upon the king's council. And the ſame ſpirit that would draw buſineſs from the committee to a cabinet council, would at laſt draw them from the parliament itſelf; becauſe that is alſo, if not more, croſſing to private intereſts and deſigns than a committee of eſtates. 3 Inſtance. There is a party in the land who as in their hearts they do envy, and in their tongues do traduce men that have been ſtedfaſt and faithful in the covenant and cauſe of God; ſo do they endeavour to the utmoſt of their power, to bring them into diſgrace and contempt, and to get them removed from power and truſt; and, upon the other ſide, ſtudy with no leſs diligence to get places of power and truſt, in the army and elſewhere, filled with ſuch as either have been open enemies or ſecret underminers. 4 Inſtance. Are there not many who oppoſe the kingdom of Jeſus Chriſt and work of reformation? not only by holding up that old calumny of malignants, concerning the ſeditious and factious humour of miniſters, and their ſtretching of themſelves beyond their line, and by mocking all faithful and free preaching of the word, and by bearing down the power of godlineſs, deriding and hating all the lovers and followers thereof, by being impatient of the diſcipline and cenſures of the church; but alſo looking upon the government of the church with an evil eye, and ſtrongly inclining, ſome of them, that church government be put in the hands of a few prelates, moſt of them that it may be wholly devolved upon the civil government. 5th Inſtance. There is ſtill a party in the land that endeavour to have the ſtate of the queſtion altered, and to have religion left out of the ſame; that it being ſtated upon civil intereſt, they may take to themſelves a greater latitude in their way of carrying on buſineſs. This was holden forth to be the deſign of the malignant party in the year 1648, as appears in the Declaration of the Commiſſion that year in March: and there was a neceſſary and ſeaſonable warning given againſt it by the Commiſſion in their Declaration, of the date July 1650.

(3.) Beſides thoſe who are excommunicated, there are yet in the land a conſiderable number of perſons of chief note,
who

who do still lie under censures of the church ; some because of their accession to the late unlawful engagement ; others because of their accession to the late course of rebellion, about the time of the king's escape from Perth ; besides many others of less note.

(4.) We suppose that it is most certain and unquestionable, that there was lately a malignant party and faction in the land, very numerous and powerful. How many men of blood, murderers of their brethren, as unnatural and barbarous as the Irish they once joined with against their country ? How many have watched all opportunities for troubling the peace of the kingdom, and rejoiced in the day of its calamity ? How many were the oppressors of these who called on the Lord's name in the time of the engagement ? What multitudes of profane and ungodly mockers of all godliness, and haters and persecutors of the godly, swarming every where ? If this be truth, as it is indeed, we may say, Who hath heard such a thing ? Who hath seen such a thing ? Shall a nation be born at once ? And have they so soon learned to do well, who have been so long accustomed to do evil ? When did this catholic conversion fall out ? and by what means ? Hath the act of indemnity and pardon such influence, to justify these men from all their butcheries and barbarous cruelties ? The adding of three thousand to the church in one day, was miraculous in the days of miracles. But behold a greater miracle than that, in the days when miracles are ceased ! many thousands added to the church of the friends of the cause of God in one day, and that not by preaching, which is the power of God unto salvation ; not by spiritual weapons, which are mighty through God : but by the carnal weapon of an act of indemnity, and the example of one man, the king's conjunction in the cause, which at the best hath not such evidence of reality as to convince any, and change their mind. Sad experience, and the constant testimony of the church of Scotland proves, that malignancy is a weed that hath deeper and stronger roots than to be plucked up so easily ; and that though there be some, yet there is but few in the land who have been once engaged in that way, that have really and indeed abandoned and come off the same.

The point shall more appear by taking off objections that are made to the contrary. It is objected, 1. That these who were formerly esteemed malignants, did oppose the work of
God

God because they could not be persuaded in conscience, that the covenant and cause were contrived and carried on in a warrantable way, those who were most instrumental in it, seeming to them not only to act without authority, but against authority. But so it is, that the king hath now joined in the covenant and added his authority to it, and therefore it needs not be feared that these men will any more oppose it; nay it may be expected, they will no less zealously promote the ends thereof than they did formerly oppose the same.

Ans/w. This argument supposeth some things that are false, some things at best doubtful, and some things dangerous. It supposeth two falsities. 1. That it was a ground and principle of conscience and respect to the king's authority that made these men to oppose the covenant and work of reformation. If it was the conscience and conviction of the unwarrantableness of it for the want of authority, that stirred them up to oppose the covenant and cause; then why did they subscribe it and join in the defence of the same against the king? 2. It supposeth that the only ground, why they did oppose and undermine the same, was, because the king was of a contrary mind, and refused to join in the covenant, and ratify the same by his authority, which also is false: for there were several other grounds and causes of so doing besides this. We shall name a few, leaving the rest to a further scrutiny. 1. The natural enmity that is in the hearts of all men against the Lord and his anointed, his work and people, and the power of godliness, which doth effectually work in the children of disobedience. 2. An enmity against the power of parliament and laws. 3. An enmity against the union of the kingdoms. 4. An enmity against the power of presbyteries, and the discipline of the church. To which are opposed, a sinful desire of breaking the bonds, and casting away the cords of the Lord and his anointed; a desire to establish an arbitrary power and unlimited monarchy; a desire to establish a lordly prelatical power in the persons of a few, or to have the government of the church wholly dependent on the civil power; a desire to dissolve the union of the kingdoms, that they may be thereby weakened and less able to resist malignant designs against religion and liberties; a desire to live loosely without bands in regard of personal reformation.

2. It supposeth something that is at best doubtful, *to wit,*
That

That the king hath really joined unto the cause of God, there being small evidences of it, and many presumptions to the contrary. Especially, 1. His bringing home with him into the kingdom a number of eminent, wicked and known malignants. His countenancing of, and familiar conversing with such in this nation since his coming, and correspondence with others of them abroad. His deserting of the public councils of the kingdom, to join to a party of bloody and wicked men; raised in arms with his knowledge and by his warrant. 2. His not being convinced of any guilt in his father, because of his opposition to the cause and covenant, notwithstanding of all the blood of the Lord's people shed by him in that opposition. For verifying whereof, we appeal to the knowledge of some noblemen and ministers who have occasion to know his mind, and to be serious with him in this thing.

3. It supposeth something that is of very dangerous consequence. 1. That these mens zeal to the cause or against it, doth ebb and flow according to the king's being against it or for it. Since they follow the cause, not for itself but for the king; will they not desert it when the king forsakes it? Can they be accounted real friends of the cause who are known to favour it only *ad nutum principis*? As the comedian *ait, aio, negat, nego*. Is it not all one to follow the cause for the king and for a man's own interest and advantage? both are alike extrinsic and adventitious to the cause, both are alike changeable. Eccebulus under Constantius was a precise Christian; under Julian a persecuting apostate; and then again under the next Christian emperor became a Christian: And it is like if he had outlived that emperor till a Heathen succeeded, he should have paganized the second time. 2. That very principle that is pretended to unite them to the cause is in itself most dangerous, both to the privileges of parliament and liberties of the people, and to our religion beside. Their principle of opposition was, "They conceived the way followed could not be warrantable without the king's consent and warrant. That people might not vindicate their own just rights and liberties, and their religion, without the king's concurrence, or against him." Now then, the principle of their conjunction to the cause must be this, "Because it is now clothed with authority which it had not before, and which now makes it warrantable." This principle therefore includes in the bosom

of it, the establishing of unlimited and absolute power in kings; the unlawfulness of defensive wars against tyranny and oppression; the king's negative voice; and the dependent power of parliaments upon his pleasure: All which are principles destructive of the cause and our liberties, and the very characters of our enemies from the beginning. Thus they have changed their way but not their principles, and are now the more dangerous that they may not be looked upon as enemies, but as friends. Seeing it is manifest, that it is not the love of the cause that constrains them, and they know it was not that principle that persuaded the king, but mere necessity, contrary to his own inclination, may we not certainly expect, that according to their principles they will labour to set at freedom the king, whom they conceive imprisoned and captivated by the power of necessity within the limits and bounds of a regulated monarchy, and to loose him from all these chains of involuntary treaties and agreements, and rigid laws and parliaments, that he may then act in freedom and honour according to his own inclination and theirs both; and then farewell religion and liberties.

Object 2. The most part of these who were formerly malignant, have now repented of that sin, and make profession of their resolution to adhere to the covenant and cause of God, and to bestow their lives and estates in defence thereof: Therefore they are not now to be esteemed malignants.

Answer. We would wish from our hearts that we had no answer to this argument, then should we yield the point in hand, and yield it cheerfully, that there is no malignant party now in Scotland. But, alas! that we have so much evidence convincing our consciences and persuading them to deny what is objected. We acknowledge some have indeed repented, and such we desire to embrace and receive with all tendernefs and love, as godly Christians, worthy to be entrusted: But yet the most part of them do still bring forth the same malignant fruits. Their ungodly and wicked practices testify to their face that they have nothing *to do to take his covenant in their mouth*, seeing they hate to be reformed. The late rising in arms, contrary to their solemn and particular engagements; their bearing down and reproaching the godly, and such as are of known integrity; their studying to fill places of trust with men formerly enemies or underminers; their continuing in their profane and loose walking. All these are more convincing evidences of their retaining

ing their old principles than any extorted confessions or professions; for sinister respects and ends, can be no probable signs of their repentance and change.

We desire these things to be remembered, 1. That the engagement was carried on, not by open and professed enemies, but such as had made public profession of their repentance, and were thereupon admitted to trust. 2. That upon consideration of the hypocrisy and instability of these men appearing in that and other particulars, the kirk and kingdom of Scotland did take upon themselves strait bonds and engagements to exclude such from trust, until such time as they had given real evidences of the reality of their repentance, and of abandoning their former principles and ways; of which this kirk was to judge impartially as in God's sight. 3. That it hath been confessed and preached by many godly ministers, and was given in by sundry in the time of the search of the Lord's controversy against the land, in November last at Perth, and hath been bemoaned and regretted by many of the people who feared God; that there is a great deal of sin and guilt lying on the kirk of Scotland, for the sudden receiving of scandalous persons, especially malignants, to the public profession of repentance before there was in them any real evidence of their forsaking their former principles and ways.

Object. 3. None are now to be esteemed malignants, in reference to employment and trust, but such as stand judicially debarred by kirk and state to be so: for certainly, men are not to lie under the burden of so great a reproach, upon the private whisperings and common reports of others; otherwise, honest men may be wronged, and there shall be no end of confusion, or terminating this controversy, there being no certain rule to walk by in it.

Ans. We acknowledge that surmisings, whisperings and reports of others are not sufficient, but that a rule is needful. All the question will be, what is that rule? And though the judicial debarring of judicatories be not all, but it must be ruled by another rule, yet are we willing to take it for so much: for even that will prove there is yet a malignant party in Scotland, because many are standing under church censures. These involved in the late rebellion, are standing under a sentence of the commission, declaring them to be following their old malignant designs, few of them are yet admitted to profession of repentance. We desire

it may be considered, that the rule holden forth by the kirk of Scotland 1648, for admitting of persons to trust, is of larger extent than judicial sentence or censure. *To wit*, That they be such against whom there is no just cause of exception or jealousy. 2. Albeit a judicial trial or censure be indeed necessary, for inflicting punishment or censure upon men; yet it is not necessary for avoiding association with them, or debarring them from trust. 3. If none were to be accounted malignants, but they who are judicially declared to be such, what needed the kirk of Scotland have frequently taken so much pains, to give characters to know them by, there being so clear and compendious a way beside? Hath there not been always in the land secret underminers as well as open enemies? And hath not faithful men avoided the one as well as the other? 4. The General Assembly, 1648, declared the taking in of these who followed James Graham to be an association with malignants, tho' most part of them were then released from church censures.

Sect. 2. That the present public resolutions, expressed in the Commission's Answer to the Parliament's Query, and the Act of the Levy, do not exclude that party.

IN the next place, upon supposal and proof, that there is a malignant party and faction still in the land, it is needful to examine, whether the exceptions contained in the Answer of the Commission to the Parliament's Query, and inserted into the Act of Levy, be so comprehensive as to include all that party. The exceptions be four. 1. *Such as are excommunicated.* 2. *Such as are forfaulted.* 3. *Such as are notoriously profane or flagitious.* And, 4. *Such as have been from the beginning, and continue still, or at this time are, obstinate enemies and opposers of the covenant and cause of God.* That these are not comprehensive of the whole malignant party in the land, appears.

First, The rules of the General Assembly framed for the exclusion of all such, as ought not to be employed in our armies, are far more comprehensive. The rule is for employing of such only *as are of a Christian and blameless conversation*, which is turned over by their commissioners into a negative, *All that are not notoriously profane or flagitious.* Another is, for entrusting only *those who have been of known integrity and constant friends to the cause of God from the beginning*;

ginning; which is also turned over into a negative; *All that have not been constant enemies.* All such, by the Answer, are capable of some trust and employment. The rules agreed upon by the assembly, and ratified by act of parliament, anno 1649, and renewed upon occasion of this invasion, was, That no officer nor soldier that followed James Graham, should be permitted in the army; nor any officer that was on the engagement, except such as upon real evidence of repentance, were particularly recommended by the church; nor any common soldier, but upon sufficient testimony of his repentance. Now, since it is proved that the most part of all such continues still malignants, and retain their old principles; and that the bulk and body of the people are called forth by the public resolution, without such exceptions as were conceived before necessary, for the exclusion of that party; it follows clearly, that the malignant party is not excepted in the present resolutions.

2. Few of these who were in the late rebellion, and declared, not many days since, to be following a most malignant design and course, are contained under these exceptions; because very few of them are excommunicated or forfeited: and though more of them be indeed flagitious and profane; yet very few of them will fall under the compass of the exception, notoriously flagitious. Many wicked things will be said to concur to make up a profane man; some acts will not serve; a habit must be demonstrated; and though that were shewed, yet there must be also a notoriety of it, which imports a man to be famous for looseness and profanity; and there are none almost, if any, in the land, who have been professed enemies from the beginning, and continue so to this day. James Graham was not such. It is the matter of our sad complaint, that whilst many are enemies, they make profession and semblance of friendship. 3. These exceptions do not comprehend any who are under censure for malignancy or profanity, except such as are under the sentence of excommunication; and that even such may not be excluded, lest the rule be transgressed, by admitting and employing excommunicated persons. 'Tis withal resolved, that these persons shall be relaxed from that sentence, that so they may be immediately in the same capacity of employment with others, whatever formerly hath been their opposition or defection. Some exceptions must be made, for honesty and credit's sake; But the nearest and readiest way

is taken to make them ineffectual. 4. These exceptions do not only not reach these who were upon the unlawful engagement, and have not as yet given sufficient proof of their abandoning their malignant principles and courses; but come not the length of comprehending these men of blood who followed James Graham, and in the most barbarous and cruel way, shed the blood of their own brethren and God's people; because the most part of these are not *excommunicated nor forsaulted*; nor *notoriously flagitious and profane*; nor such as *have from the beginning been, and still are enemies*. If any will say, that such are comprehended under these exceptions, Why did the Commission express the exceptions in such terms, as to mens common apprehension do not include many? especially seeing there are known rules, particular and distinct, without ambiguity; and seeing there is such a propension in rulers to employ all without difference, which would undoubtedly take advantage of any thing that seemed to look that way.

It is likewise manifest, that the second part of the answer, relating to the capacity of acting, is loaded with the same inconvenience. 1. There is no positive determination of the qualifications of persons to be intrusted, as in former times it was agreed on by the Assembly and their Commissioners: but that is now referred to the discretion of the parliament; together with such diminutive terms, as gives them great latitude to go upon. Before, no trust was given to such persons; now, it is allowed they shall have some trust: and how much is not determined, nor what degree of it is prejudicial to the cause; which it appears, the parliament's proceedings in nomination of officers, unquestioned by the Commission, is a good commentary to expound that they may have any trust, except to be general officers. 2. Our former established rule was, that no persons should be entrusted, but such as *are of known integrity, and have been constant friends of the cause*. But how far is this diminished? They who are such, only recommended to be especially taken notice of. Less could not be said by any; more ought to have been said by the Commission. And though no such notice be taken of such by the parliament: but on the contrary, those who have been most faithful, and suffered in the late defeat at Hamilton, they are used as enemies, worse than malignants in former times; yet there

is no testimony given against such things. *Quantum mutatus ab illo cœtu qui quondam fuit !*

Before we enter upon the chief question, we offer these manifest and known truths to consideration.

1. The occasion of contriving and subscribing first the national covenant, and then the solemn league and covenant, was, the designs and practices of the popish, prelatical and malignant party, against religion and the work of reformation in these kingdoms. 2. Since the contriving and subscribing of the same, it hath been the continual endeavour of that party, sometimes by undermining, and sometimes by open opposition, to undo the same, and to bear down all those that clave honestly thereto, and faithfully prosecute all the ends thereof. 3. That there hath been these many years past, and still is, such a party, in all the three kingdoms, considerable for number, power and policy. 4. That that party, hath always prosecuted their design, under a colour of zeal and respect to the king's authority and interest. 5. That that party hath always been the authors and abettors of much bloodshed, many miseries and sad calamities to these nations. 6. That the people of God in these kingdoms, have taken upon themselves a most solemn and sacred bond of an oath and covenant to discover them, and bring them to condign punishment. 7. That it hath been one of the predominant sins of Scotland under the bond of the covenant, to comply with them. 8. That indignation and wrath from the Lord, hath been following that party and their designs these years past. 9. That compliances with them hath always been cursed to us of God. 10. That few of that party do really abandon and forsake their corrupt principles and way, and join cordially in the cause and covenant. 11. That many of them do, after the profession of their repentance for their opposition to the cause and covenant of God, relapse frequently into the same sin. 12. That sudden receiving of many of them to fellowship and trust, and too great credulity in believing their professions, hath often cost this land very dear. 13. That upon consideration of the deep treachery and hypocrisy of these men, and the sad consequences following upon sudden receiving of them, without evidence of a change, after long and renewed experience, this land renewed their obligations more strictly in the solemn engagement. 14. That there hath been a design driven these two years past, to get that party again in
power

power and trust. 15. That this design hath been testified against by the public resolutions of the judicatories unto this time. 16. That as it hath been driven at very cunningly and actively, by many instruments and arguments of several sorts; so hath it gained ground piece and piece, until at length many of them are brought into the court, and to the army and judicatories in the country: And now, by the public resolutions, they are generally to be employed and entrusted. Thus the design is accomplished. But, 17. These men do not satisfy themselves with some degree of power; but endeavour to engross the whole power of the kingdom into their own hands, and study to bring into contempt, and cull out these, who have been and do continue constant in the cause of God. 18. That having power into their hands, they must act according to their own principles, and for establishing their own ends. And lastly, That these principles and ends, are destructive to the covenant and work of reformation.

Sect. 3. That the employing of, and associating with the malignant party, according as is contained in the public resolutions, is sinful and unlawful.

IF there be in the land a malignant party of power and policy, and the exceptions contained in the Act of Levy doth comprehend but few of that party; then there need be no more difficulty to prove, that the present public resolutions and proceedings, do import an association and conjunction with a malignant party, than to gather a conclusion from clear premises. But that such a conjunction is in itself sinful and unlawful, and besides, a violation of our solemn oaths and engagements; a backsliding from our principles and professions, and a walking contrary to the whole tenor and current of our former resolutions and practices, is now to be made manifest.

First, We reason from that constant, standing and perpetual rule, which the Lord gives concerning the modelling and carriage of the armies of his people in all their wars. Deut. xxiii. 9. *When the host goes forth against their enemies, then keep thee from every wicked thing. And after, If there be among you, any man that is unclean, by reason of uncleanness that chanceth him in the night, then shall he go abroad out of the camp; he shall not come within the camp.* (If for ceremonial

ceremonial uncleanness he was to be excluded, much more for moral, as our divines reason from the Old Testament in the point of excommunication; and if for uncleanness not voluntary, much more for voluntary wickedness.) The reason of all is given ver. 14. *For the Lord thy God walks in the midst of the camp, to deliver thee, and to give up thine enemies before thee: Therefore shall thy camp be holy, that he see no unclean thing in thee and turn away from thee.* Even as they would expect a blessing of the Lord, so ought they to keep their camp holy, as he is holy: He gives not such a strict rule for the competency of number, as for the qualifications of the persons, as being the principal thing. Therefore the present conjunction with so many ungodly and wicked men, that have formerly declared themselves enemies to God and his people, and to this day give no evidence to the contrary, is sinful and unlawful.

2. The Lord hath frequently in scripture declared his dislike and hatred of such associations and conjunctions. The scriptures cited in the General Assembly's declaration in the year 1648, against the engagement, are sufficient proof of this. We shall take the argument as it is formed by the commissioners of that assembly, in their answer to the observations of the committee of estates upon the assembly's declaration, p. 7. "Every engagement in war, that is pretended to be for religion, and hath in it a confederacy and association with wicked men, enemies of true religion is sinful and unlawful. But the present engagement in war, as it is held forth in the public resolutions, is pretended to be for religion, and yet hath in it a confederacy and conjunction with wicked men, and enemies of true religion." *Ergo*, The second proposition is evident from the two first sections.

The first proposition is proved from those scriptures fore-mentioned. God forbid conjunctions and confederacies with the enemies of his cause and people; not only the Canaanites, Exod. xxxiv. 12, 15. Deut. vii. 2. and other heathens, such was Ase his covenant with Benhadad, 2 Chron. xvi. to ver. 10. Ahaz his confederacy with the king of Assyria, 2 Kings xvi. 7, 10. 2 Chron. xviii. 16. but also with wicked men of the seed of Abraham, as Jehoshaphat's with Ahab, 2 Chron. xviii. 3. *And Ahab king of Israel said unto Jehoshaphat king of Judah, Wilt thou go with me to Ramoth-Gilead? And he answered him, I am as thou art, and my people as thy people,*

and we will be with thee in the war, compared with chap. xix. 2. *And Jehu the son of Hanani the seer, went out to meet him, and said to king Jehoshaphat, Shouldst thou help the ungodly, and love them that hate the Lord? therefore is wrath upon thee from before the Lord.* And with Ahaziah 2 Chron. xx. 35. *And after this did Jehoshaphat king of Judah join himself with Ahaziah king of Israel, who did very wickedly.* Which being reprov'd for, he would not again join with Ahaziah, 1 Kings xxii. 49. *Then said Ahaziah the son of Ahab unto Jehoshaphet, Let my servants go with thy servants in the ships: But Jehoshaphet would not.* And then Amaziah's association with 100,000 of Israel, 2 Chron. xxv. 7, 8, 9, 10. *But there came a man of God to him, saying, O king, let not the army of Israel go with thee; for the Lord is not with Israel, to wit, with all the children of Ephraim. But if thou wilt go, do it, be strong for the battle: God shall make thee fall before the enemy: for God hath power to help and to cast down. And Amaziah said to the man of God, But what shall we do for the hundred talents which I have given to the army of Israel? And the man of God answered, The Lord is able to give thee much more than this. Then Amaziah separated them, to wit, the army that was to come to him out of Ephraim, to go home again: Wherefore their anger was greatly kindled against Judah, and they returned home in great anger.* The sin and danger of such associations may further appear from Isa. viii. 12, 13. "Say ye not, A confederacy, to all them to whom this people shall say, A confederacy; neither fear ye their fear, nor be afraid. Sanctify the Lord of hosts himself, and let him be your fear, and let him be your dread. Jer ii. 18. "And now, what hast thou to do in the way of Assyria, to drink the waters of the river? Psal. cvi. 35. But were mingled among the heathen, and learned their works. Hosea v. 13. When Ephraim saw his sickness, and Judah saw his wound, then went Ephraim to the Assyrian, and sent to king Jareb: Yet could he not heal you, nor cure you of your wound. And chap. vii. 8, 11. Ephraim, he hath mixed himself among the people: Ephraim is a cake not turned. Ephraim also is like a silly dove without heart: they call to Egypt; they go to Assyria. 2 Cor. vi. 14, 15. Be ye not unequally yoked together with unbelievers; for what fellowship hath righteousness with unrighteousness? and what communion hath light with

"darkness?"

“darkness? And what concord hath Christ with Belial?
 “or what part hath he that believeth with an infidel?”
 And if we should esteem God’s enemies our enemies, and
 hate them with perfect hatred, how can we then join with
 them as friends? Psal. cxxxix. 21.

The committee of estates at that time endeavoured to
 elude the strength of these scriptures, and vindicate their
 engagement from the falling within the compass of them.
 But the commission of the assembly that year took the mask
 off their evasions. Would to God we had no other party
 to deal with now. It was the evil and complaint of that
 time, that church and state were divided. But what an evil
 time are we now fallen into, that the union of those in this
 point, is the complaint of many of the godly? The com-
 mission, in their letter to Stirling presbytery, sets up the
 committee’s answer in a new dress, and holds it out for sa-
 tisfaction to our consciences. All that is answered may be
 reduced to three or four heads.

1. There is made a great difference between an invasive
 and defensive war, as if in the one, choice of instruments
 ought to be sought: but in the case of just and necessary
 defence, all subjects may be employed.

To which we answer, 1. That the scriptures cited con-
 clude most expressly against conjunctions of that kind in de-
 fensive wars. Such was Asa’s covenant, such was Ahaz
 his confederacy. Were not the reproofs of the prophets di-
 rected particularly against the peoples seeking of help from
 Egypt and Assyria, in the case of their own just and neces-
 sary defence? Jer. ii. 18. Hosea v. 13. and vii. 8, 11. Isa.
 viii. 12, 13. 2 Chron. xvi. to ver. 10. 2. The law and rule
 given Deut. xxiii. is general, regulating all their wars whe-
 ther defensive or offensive; and it is strange that any should
 imagine such a difference where the law makes none; nay,
 when the ground of the law is moral and general, equally
 respecting all wars. Is there any ground of conscience,
 why wicked persons may not be kept in the camp when we
 invade others, and yet these may be employed and entrusted
 when we defend ourselves? If there be any reason to
 prefer the one to the other in this point, we conceive de-
 fensive war should have the preference: Because when the
 Lord brings upon us unjust invasion, he is ordinarily pur-
 suing a controversy against us: and therefore we ought to
 be most tender and circumspect, that there be no unclean

thing in the camp, and put away every wicked thing from us, even the appearance of evil; lest we add oil to the flame of his indignation, and he seeing such an unclean thing in us, turn yet further from us. Except we say, that we need not take care to have God in the camp with us, when we are upon just and necessary defence, seeing our cause is so good. 3. There is more hazard and danger to our religion and liberties, to have a wicked malignant army at home among us, than abroad in another nation. While they are here, they have the power of the sword, and can command all; but there might be some hope and endeavour for vindicating our own liberties and religion while they are abroad, as it fell out in the time of the engagement.

2. It is answered, that there is a difference between this case and the engagement, because there was then no necessity of choosing such instruments, a competency of power might be had; but now it is not so, and therefore the scriptures mentioned do not militate against the present case. *Ans.*

1. The scriptures cited will obviate this. What made Israel and Judah run to Egypt or Assyria for help, but their weakness and necessity? Their wound was incurable, and their bruise grievous, as Jeremiah often laments, and particularly chap. viii. 20, 21, 22. and x. 19, &c. and yet this did not excuse them for going to Egypt and Assyria to heal their wound, Hosea v. 13. and vii. 8, 11. The scripture holds out infidelity and distrust in God, as the ground of such associations, 2 Chron. xvi. 7, 8, 9. Isa. viii. 12, 13. which proceeds from the incompetency of means as the occasion of it. 2. Suppose there was a necessity for calling forth the body of the common people, yet certainly there is no necessity of employing any such persons of whom the question is, and putting them in places of trust: There is none can deny, but there are, besides all secluded persons, many, that might fill the places of trust and power: Therefore the plea of necessity is but a pretence to cover some design, that under its specious and plausible covering, the power of the land may be engrossed into the hands of malignants: and so by this means all power and trust may return, as the rivers to the sea or fountain, as they judge the king, that so in his person there may be established an unlimited and arbitrary power. 3. Necessity is a very plausible argument and strong plea to carnal reason for any thing; but it cannot be a good ground, in point of conscience,

ence, for that which is sinful in itself. Now that this is sinful in itself appears from the word of God, simply condemning such associations upon moral, and so general and perpetual grounds. Now in such a case of necessity, we are called either to trust in God, in the use of competent means, seeing in such cases we have so many promises; or, if all help be gone, which God allows us to make use of, we must wait on him till he brings salvation with his own arm.

But because the plea of necessity is the strongest that is made use of for the present public resolutions, we must consider it a little more. It is alledged, that the best part of the land is under the feet of the enemy, and so no help can be had from it; and for other parts of the land which are yet free, there is not much choice of persons; and the testimony of faithful men in the state, declares, that when all that are called forth of these places, are gathered, it cannot amount to a power competent enough: And therefore in such a question of the existence of second means, the knowledge whereof immediately depends on sense and experience, these who are not acquainted, should give credit to the testimony of faithful witnesses. And that a competency of power must be had, according to the ordinary way of Providence, in relation to which we must act, except we would tempt God by requiring of him wonders.

Ans. Suppose the enemy's army to consist of 20,000 or above, are there not more sensible persons in the shires on the north side of Perth? Believe it who please, we cannot stop our own consciences, and put out our own eyes. Let the rolls of several shires be looked to, and it shall confute that testimony. Nay, are there not more persons not formerly secluded in all those shires? What meant the levy appointed immediately after Dunbar? was not 10,000 foot and 1400 horse put upon these shires which are not under the power of the enemy? and yet the rules of exclusion were not abandon'd. Now all these, or most part of them, are yet in the country not levied. Money was taken instead of men; the levies obstructed, so that there was little addition to the strength of the forces that remained; the forces diverted by the insurrection of the malignants in the north, at the king's command or warrant. All which hath such pregnant presumption of a design carried on to necessitate the kingdom to employ that party, by the cunning politicians of the time, by obstructing the levies, raising the malignants, and then pacifying

cifying them by an act of indemnity, and at last openly and avowedly associating with them. Thus the design is accomplished which was long since on foot.

2. If satisfying courses had been studied by the public judicatories to carry on all the godly in the land with their resolutions, there had accrued strength from the parts of the land be-south Forth, which would have compensated all that competency of power that the conjunction of the malignants make up: and it may be would have been more blessed of God. 3. If there is no help required nor expected from those parts of the kingdom be-south Forth, wherefore did the Commission write to the presbyteries in those bounds that they might concur actively in their stations for the furtherance of the levies, and choose ministers to go out with them?

3. It is answered, That the confederacies reprov'd were unlawful, because they were either with heathens, or with idolaters, strangers and foreigners. This is answered to the case of Amaziah, &c. and so it seems not to make against the present case, the employing all subjects in the just and necessary defence of the kingdom.

Answ. 1. This answer at one blow cuts off all the strength of the General Assembly's reason against the association with malignants in that year. There might be some few persons idolaters, but there was no party and faction such; and yet they can deny association with the English malignants from those scriptures; yea, not only with them, but with our own countrymen that were in rebellion with James Graham, who were neither idolaters nor foreigners. We need no other answer than the Commission at that time gave to the committee of estates using that same evasion, *pag.* 10, 11. 2. The ground and reason whereupon such associations are condemned, is more general and comprehensive. Jehoshaphat was reprov'd for joining with Ahab, because he was *ungodly and hated the Lord*, which is properly in our terms, because he was a malignant and profane man. It was a strange mocking of scripture to restrict ungodliness, in that place, to the sin of idolatry. Confederacy with the Canaanites and other nations was forbidden on this ground, *that the people be not ensnared, and learn not their works*. Now is not the company of, and communion with ungodly men of the same general profession, but mockers and haters of the power thereof, as infectious and ensnaring? Nay, it is
more

more apt to ensnare because of the profession. Paul would have as much distance kept with a brother walking disorderly, as a Pagan: for such a one as walks contrary to their profession of the true religion, do evidence more ungodliness and wickedness, than an ignorant and superstitious Papist that walks precisely according to his profession. There is some principle of conscience stirring in the one; but it is seared in the other with a hot iron. God ranks such, who are uncircumcised in heart, with the uncircumcised in flesh. Ought not his people to do so to? 3. The rule of modelling armies and purging the camp is most comprehensive, Deut. xxiii. not only of idolaters and foreigners, but every wicked thing, and unclean thing, was to be removed out of the camp. Now, seeing those examples are transgressions of this law, what reason is there to make the only ground of reproving and condemning of them to be, because idolaters were associated with, as if any other might be joined with, that is not an idolater. 4. That reason against Amaziah's conjunction with Israel is wrested by some, expounding it thus. *God is not with them, is not understood, in regard of a state of grace, as appears, nor in regard of God's prospering providence; because he was often with them in that regard: but it must be understood in regard of an idolatrous profession.* But we reply, that it is true it is not understood in regard of a state of grace; nor simply in regard of his prospering providence: But *ut plurimum*, the Lord for the most part crossing them till they were cut off from being a nation. But especially it is to be meant in regard of a course opposite to God, according as the Lord speaks, 2 Chron. xv. 2. *The Lord is with you while ye be with him, but if ye forsake him he will forsake you.* If any will restrict this to idolatry, he hath no ground from scripture for such a limitation; but being engaged in the business, he wrests the scriptures to his own destruction. Sure we are, there are many palpable forsakings of God, and God's forsaking of men, beside idolatry and false worship. 5. That which is said, *That God did not command Amaziah to dismiss any of his own subjects* Either it makes not much to the present business, or else it strikes against the law of God itself, that commanded such strict purging of the camp. From whom I pray you? Certainly from wicked Israelites, from wicked countrymen: Therefore if there was any such among the men of Judah, he ought to have put them out of the army as well as the Israelites.

Israelites. Nay, the command of dismissing the Israelites, was, really and upon the matter, a command to purge his camp of all that was of the stamp of the Israelites. It is strange that the civil difference of strangers and citizens should make such difference in the point of conscience. Ought we not to hate the Lord's enemies with a perfect hatred, not as Englishmen, not as strangers, but as enemies. Levi knew not his brother, this was his honour; but many now for respect to their brethren, know not God. It is the moral quality that the law of God respects, without respect of persons and countries. To be a citizen, if not qualified, doth no more plead for employment *in foro conscientia* and before God, than to be a stranger and qualified doth impede trust and employment *in foro conscientia* and before God.

5. It may be answered (and it is by some), That those scriptures plead, that there should be no conjunction with wicked men in a quarrel of religion: but seeing our present business is the defence of the kingdom, all subjects, as subjects, stand in capacity of employment for that end, though in reference to the defence of religion there must be a choice.

Ans. 1. The commission have vindicated themselves in a letter to Stirling presbytery from that imputation, that it is said, they state the quarrel and cause merely upon civil things in the answer to the parliament's query. But certainly there is just ground given to these that are watching for any such thing, to state the cause so: because they do contrary to all former custom and practice, mention the defence of the kingdom only, as it had been of purpose, to make the employing of all members of the body or subjects of the kingdom for its defence more plausible. But we answer to the point. The associations and conjunctions that are condemned in the cited scriptures, are some of them for civil quarrels so far as we know; some of them in the point of just and necessary defence of the kingdom, and yet that doth not justify them. 2. The rule given them, Deut. xxiii. was regulating all their wars, and clearly holds forth, that all subjects, as subjects, and members of the politic body, though as such there is an obligation lying on them to defend the whole; yet they are not in actual and nearest capacity to the performance of that duty, if they be wicked and unclean. And the reason is, because the Lord would have the wars of his people his own wars, and all that they do, to his glory, Num. xxi. 14. 2 Chron. xx. 15. Col. iii. 17.

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More especially such solemn undertakings, there ought to be a difference between his people, acting for self-defence, and other nations. 3. Although the defence of the kingdom and defence of the cause, be different in themselves, yet are they inseparable. Whoever is entrusted with the defence of the kingdom really and *de facto*, he is *eo ipso* entrusted with the defence of the cause: Therefore the people of God, who ought always to have religion first in their eye, ought, especially in raising forces for self-preservation, to level at religion, and direct the choice of instruments in relation to that mark, that they destroy not Christians while they save subjects, and preserve our bodies to destroy our souls.

3^d Reason. That which is dissonant from and contrary unto all our former resolutions and proceedings, oaths and engagements, confessions and humiliations, must needs be most unlawful, or they themselves, as to that point, were unlawful. But the present resolutions and proceedings are dissonant from, and contrary to all these. *Ergo*, Either our present or our former resolutions and practices were unlawful; either we were wrong before, or we are not right now. The second proposition may be made manifest from, 1. The present resolutions are contrary to the solemn league and covenant in the fourth article and the sixth. To the fourth, because we put power in the hands of a malignant party, power of the sword, which is inconsistent in the own nature of it with either actual punishing of them, or endeavouring to bring them to punishment; unless it be intended to bring them all forth, and expose them to the slaughter for a sacrifice for the land, which may be the Lord's mind indeed, howbeit they know not his thoughts. And to the sixth article, because it is a declining to the contrary party, even that party against whom the covenant was at the making expressly contrived. And as the declaration of the General Assembly 1648 hath it, It is a joining with one enemy to beat another, with a black devil to beat a white.

It is most ingeniously answered, that the present resolutions are not contrary to the covenant; because such as are described in the covenant are not allowed to be employed, meaning, that these men are not now malignants. What needs men make such a compass to justify the public resolutions, seeing there is so easy and ready a way straight at hand? This one answer might take off all the arguments made against them, that there is no malignant party now; which is

the foundation that being removed, all the building must fall to the ground. But we have in the first article evinced that, which had been scandalous to have proved, if it had not been questioned. If it were indeed true, that no malignants are allowed to be employed, what needed the commission in their letter to Stirling presbytery take so much pains from scripture and reason to justify the present resolutions, when the clearing of that one point had cleared all? As for the declaration of the Assembly, anno 1648, *It is answered, that none are to be employed, that continue notoriously in the courses of malignancy, which was done that year.* Whereas the malignant party that was then associated with, would have engaged to be faithful to all the ends of the covenant, many of them were such as had been in covenant, and made shew of their repentance for their defection from it: and so there is no difference in this particular.

2. The solemn acknowledgement of public sins is so clear and peremptory in this, that it makes me tremble to think on it. *Pag. 6.* "Should we again break his commandments, and covenant, by joining any more in affinity with the people of these abominations, and take in our bosom these serpents, which have formerly stung us almost to death? This, as it would argue much folly and madness, so, no doubt, it would provoke the Lord to consume us till there be no remnant of escaping." Let the 6th article also be considered. Join to this the declaration of the commission, upon report of this enemy's invading, *p. 6.* where it is declared, that malignants shall not be associated with, nay, not countenanced and permitted to be in our armies. The General Assembly after this, upon the enemy's entry into Scotland, gives serious warning to the rulers, to take heed of snares from that party: and that the rather, because men ordinarily are so taken with the sense of danger, as not to look back to that which is behind them, &c. How often have we sentenced ourselves unto wrath and consumption if we shall fall into this sin again? All these and the like, are endeavoured to be taken off, by saying that our engagements in this point, were conceived in a way of prosecution of the cause; but to be no impediment of the just and necessary defence, which we are bound to by nature's law, which no human law can infringe.

But we reply, 1. It is strange, our prosecution of the cause these years past, should be contradistinguished from the defence of it and the kingdom. It was conceived that our war in
England

England was defensive not invasive, that it was necessitated for the defence even of our kingdom, but it seems it is now questioned; but passing what was acted abroad, certainly all our wars at home were merely defensive, both against unjust invasion and seditious insurrections. Now our solemn engagements were conceived, in relation to our actings at home especially, and modelling our armies for the defence of our liberties and religion. We know well enough that a just invasive war is a rare accident in the world, and that the flock of Jesus Christ is, for the most part, obnoxious to the violence of others, as sheep among wolves: but are not often called to prey upon others. 2. To call our solemn engagements and declarations, grounded upon our oaths and the word of God, human laws and constitutions, that must cede to Nature's law, it is indeed ingenuous dealing: because to justify the present proceedings, there can be no more expedient way, than to condemn bypast resolutions for the peremptoriness of them, and to make them grounded on politic considerations, which are alterable: But it imports a great change of principles. We conceive that all human laws that are not for the matter grounded on the word of God, that oblige not conscience but in the case of scandal, and in regard of the general end, are alterable and changeable, whenever they come in opposition to the law of nature, self-defence, and the law of God written in his word. And therefore that act of parliament, mentioned by the commission, discharging all subjects not to rise without the king's command, which was made use of against our first taking arms, was no ways binding on the subjects to rise in the defence of their religion and liberties when in hazard. And we wonder that that law should be compared to our solemn engagements, which are grounded upon oaths and God's word, as touching the very matter and substance of them, as if our engagements did no more bind us now, in case of defence, than that law did bind us then. Royalists might be excused for preferring the king's will to God's; but we cannot be pardoned for equalling them: And especially while we consider that that fore-mentioned act undoubtedly hath been intended for the establishing of an arbitrary and absolute power in the king's hand, that the subjects may not have liberty to save themselves, except the king will. Where God hath given us liberty by the law of nature, or his word, no king can justly tie us; and when God binds and obliges us by any of these,

no king or parliament can loose or untie us. 3. The declaration of the Commission and Assembly upon this invasion, renews the same bond of our former engagements; yea, and speaks expressly, in the case of fewness and scarceness of instruments, against the unbelief of people that are ready in danger to choose any help. Therefore that which is said in answer, that at that time there was a choice of instruments which now is not, it may indeed condemn and falsify the declarations at that time, in the supposition of the paucity of instruments, and in the application of that doctrine and divine truth to that time, but it doth not speak any thing against the application of that truth therein contained in our time; it being more manifest, that we have greater necessity and less choice of instruments, and so in greater hazard of unbelief, and overlooking what is behind us.

3. It is of all considerations the most confounding, to reflect upon our former humiliations and fasts. How often hath it been confessed to God, as the predominant public sin of Scotland, countenancing and employing the malignant party? But when we call particularly to mind the first solemn fast after the defeat at Dunbar, astonishment takes hold on us, to think, that it is now defended as a duty, which, but some months ago, was solemnly confessed as a sin, the not purging of the army, the obstructing of that work, and great inclinations to keep in and fetch in such persons, and the repining at, and crying out against all that was done in the contrary, was then reckoned as the great cause of God's wrath, and his sad stroke upon us. What distraction may this breed in the hearts of the people of the land, to hear the same thing complained of as a great sin to-day, and commended as a necessary duty to-morrow? Is not all the land presently called to mourn for the king's sins, of which this is one, the designing a conjunction with the malignant party, and giving them warrant to rise in arms for the defence of the kingdom? Now, how shall they be able to reconcile these in their own minds, at the same time to mourn for that as a sin in the king, which they hear commended as the duty of the parliament? To fast to-day for that as the king's sin, which they must go about to-morrow as their own duty? *Tell it not in Gath, publish it not in Askelon, lest the daughters of the Philistines rejoice.* Heathens may rise in judgment against this generation. *Semper idem velle atque idem nolle hæc demum sapientia*

sapientia est. If any wise man be *ubique & semper sibi par & idem*, what ought a godly man to be?

4th Reason. That which is an uncertain mean of preservation of the kingdom, and a more certain mean of destruction of religion, is utterly unlawful. But the employing and entrusting of all men promiscuously, according as is holden out in the public resolutions, is, at best, an uncertain mean of the preservation of the kingdom, and is a more certain mean of the destruction of religion. *Ergo*, It is utterly unlawful. The first proposition cannot be denied. When any less good comes in opposition with a greater good, the lesser good in that respect becomes evil. We may not endanger certainly a greater good, for the probable and uncertain attainment of the lesser. The second proposition I know will be denied, as it was denied in the time of the engagement by the committee of estates. They said, the danger of religion was not infallible, that it might eventually fall out so, but not by any casualty. And thus it is pleaded now, That the danger of religion is not inevitable; that the danger of the kingdom is certain: and so these being laid in the balance together, we ought, to eschew a certain danger of the kingdom's destruction, rather hazard on a probable danger of religion.

But we shall clear this and confirm the reason. 1. The danger of the kingdom is indeed great; but it is not so certain and inevitable in case of not employing the malignant party; because there may be some competency of power beside. Now the delivery and preservation of the kingdom from this danger, by conjunction with that party, is rather improbable; because we have sentenced ourselves to destruction, if ever we should do such a thing again. We are standing under a curse, whereto we have bound over ourselves; and beside, God is in a special manner pursuing that generation, and hath raised up this enemy for their destruction; so that we may with greater probability expect to partake of their plagues, and to fall under our own curse, than to be delivered, or be instruments of deliverance to the kingdom. Or, at the best, it is uncertain: for what is more uncertain than the event of war? The battle in this sense may be said peculiarly to belong to the Lord. Now on the other hand, the danger of religion is certain and inevitable, though not simply in itself, and absolutely, (because the Lord doth in heaven and earth what he pleases), yet with a moral certainty and infallibility, which is often as great as physical certainty. Suppose these
men,

men, having the power of the sword, prevail, will they not employ it according to their principles, and for attaining their own ends, which both are destructive to religion? What is more certain than that men act and speak from the abundance of the heart, when there is no outward restraint? It should be a great wonder if they who are so accustomed to do evil, should cease to do evil, when they have power and convenience to do it. Power and greatness hath corrupted many good men, shall it convert them? Can men expect other fruits from a tree than the nature of it yields? Will one seek figs on thorns, or grapes on thistles? 2. We do not see what defence it can be, for the present, to the kingdom, at least the godly and well affected in the kingdom, who will be as much troubled in their persons and estates by that party, as by the common enemy. It is known what threatenings the country is filled with, which vents that inveterate malice and hatred to all the well affected in the kingdom, which they have kept within their breast of a long time: and now they find opportunity of outing it. It is as clear as day light, that the most part of all the secluded persons look upon these that opposed them in the engagement, and shut them out of places of trust, and capacity of employment, as enemies, and as great enemies as the sectaries. And that we may know what to expect when they have full power in their hands, they have already so lift up their head, that no godly man can promise himself security in many places; and especially the faithful gentlemen and people of the West, who have given more proof of their faithfulness to the cause and kingdom against the common enemy, than any others in the land; yet are daily suffering violence from these preservers of the kingdom, while they are sufferers under the feet of the enemy. When they have no common enemy, whom, I beseech you, will they prey upon, seeing they do it already while they have an enemy?

But it is replied, That none of the least suspicion are allowed to be in such trust and power, as may be prejudicial to religion; and that an oath is to be taken of all, which is to be conceived as particular, binding and strict as possible.

Ans. 1. What a manifest receding is it from former principles, that it is now conceived, that all places of trust, excepting some few of eminent note, may be filled with secluded and debarred persons, without the prejudice of religion? It is certain that most part of officers, nominated by the parliament and shires, are not only such, of whom there is just ground
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of suspicion, but such as have been enemies by actual opposition to the cause of God, or known underminers thereof. Can it be said in good earnest, that none, of whom is any suspicion, shall have such trust as may be prejudicial? Sure we are, there are many just grounds of suspicion and jealousy of general persons, who have chief trust in our armies: and this the public judicatories are not ignorant of. 2. Oaths and covenants are but like green cords about Samson to bind these men. Would we have them yet once again perjured; then may we tender an oath to them. Put power in their hand, and then make them swear to employ it well. 'Tis as ridiculous as to give a madman a sword, and then persuade him to hurt none with it. There is no more capitulation with such persons, retaining their old principles, than with the floods or winds. These whom that sacred bond of covenant hath not tied, what oath can bind? Except you can change their nature, do not swear them to good behaviour. Can a leopard change his spots?

5th Reason. That which gives great offence and scandal, and lays a stumbling-block in the way, both of the people of the land and our enemies, especially in the way of the godly; that is unlawful. But the present association and conjunction with all persons in the kingdom (excepting a few, if any) is scandalous and offensive to the whole land, to the godly especially, and also to the enemy: therefore it is unlawful. The major is beyond all exception, if we consider how peremptory Christ and his apostles are in the point of offence which yet few Christians do consider. We ought not only to beware of the offence of the godly, but even of wicked men, even of our blaspheming enemies. *Give no offence neither to the Jew nor Gentile, nor to the church of God.* Christ would not offend and scandalize his malicious enemies. The minor is proved. 1. There is great offence given to the godly in the kingdom by the public resolutions, concerning that conjunction with the malignant party, under the name and notion of subjects. 1. Because it is known that the most part of them are tender in that point, what fellowship they act with: and this hath been remonstrate unto the commission and committee of estates, from several synods. Now the present resolution layeth that stumbling-block in their way, that they cannot act in the defence of the kingdom: because there is no way left them, for the performing of that duty, but that which they in their consciences are not satisfied

fied with. It is a sad necessity and snare that is put upon them, that they cannot perform their bound duty, which they are most desirous of, without sin, because of the way that is taken. 2. Is it not matter of offence and stumbling to them, to be necessitated by law to that which was their affliction? The mixture that was in our armies was their grief; and their comfort was that the judicatories were minting at their duty to purge them: but now there is no hope of attaining that; all doors are shut up by the public resolutions. 3. It undoubtedly will weaken their hands, and make their hearts faint; so that they cannot pray with affection and in faith, for a blessing upon such an army, the predominant and leading part whereof have been esteemed, and are really enemies to God and his people. 4. Is it not a great offence that any thing should proceed from the public judicatories, that shall lay a necessity upon many godly in the land, to suffer, because they cannot in conscience go along with it? Next it scandalizeth the whole land. What may they think within themselves, to see such dissonancy and disagreement between present and former resolutions and practices? What may they judge of the inconstancy and levity of the commission? and be induced to give no respect and reverence to them in their resolutions. Is it not, at least, a very great appearance of evil to join with that party, that we did declare and repute, but some few weeks since, to be wicked enemies of religion and the kingdom? and look henceforth on them as friends without so much as any acknowledgement of their sin had from them? Shall not they be induced to put no difference between the precious and the vile? not to discern between him that fears God and him that fears him not, when the public resolutions put no difference? Then, how will it confirm all the malignant party in their wickedness? May they not think our solemn vows and engagements, our rigid resolutions and proceedings were but all contrived and acted of policy; and that interest and advantage, and not conscience, principled them? Have they not an occasion given them to persecute all the godly, and vent their long harboured malice against these who have been most zealous for reformation and purging of the land? Nay, they are put in the capacity that they have desired, for acting all their resolutions, and accomplishing their designs. And last of all, the present proceedings will not only encourage and animate the common enemy, but confirm them in all the imputations

putations and calumnies they have loaded our church with. May they not have ground to think, that we are but driving on a politic design and does not singly aim at God's glory? That it is not grounds of conscience acts us, but some worldly interest, when they look upon the inconstancy and changeableness of our way and course, which is so accommodated to occasions and times? Can they think us men of conscience, that will join with all these men of blood, before we will so much as speak with them? It is replied, that the scandal is taken, and not given; which must not be stood upon, in the case of a necessary duty. But, 1. We cleared, that there is no necessity of that conjunction; therefore the scandal is given, seeing it is known beforehand that it will be taken. 2. There are many grounds of offence given by the present resolutions, as appears by what is said. If it were no more, it is a great appearance of evil; it is very inductive of many evils; a most fit occasion of all that is spoken; and besides, it is in itself sinful; contrary to God's, and our oaths.

6th Reason. That which makes glad all the wicked and enemies of God in the land, and sad many, if not most part, of the godly, hath much appearance and evidence, if not certainty, of evil, is unlawful. But the public resolutions and proceedings are such. *Ergo*---Or thus: That which makes glad all the wicked, and heightens the hopes and expectations of the malignant party, and makes sad none almost but the godly, and discourages their spirits; that, proceeding from the public judicatories, cannot be right and lawful: But so it is, that that which proceeds from the public judicatories, makes glad all the hearts of the wicked, and makes sad none almost, but the godly; heightens the hopes of the malignants, and makes them say, their day is coming, *Lo we have seen it*: and discourages the godly, and makes them almost say, *Our hope is cut off, our glory is departed*. *Ergo*, It cannot be right, at least it hath a great and convincing appearance of evil.

This argument may be thought more popular, than either philosophical or scriptural: But such an argument the General Assembly, 1648, made use of against the engagement: It is no ways imaginable, how the wicked and ungodly in the land, would so insult and rejoice in this day, if they saw not some legible characters upon it, which were agreeable to their own principles and ends. The children of God are, for the most part, *Led by the Spirit of God, and taught the way they should choose*, John xvi. 13. Psal. xxv. 12. So that readily

they do not skunner at courses approven of God : But the children of the world being, at best, led by their own carnal minds and senses, and, for the most part, acted by a spirit of disobedience and enmity against God, they use not to rejoice at things that do not suit with their carnal hearts, and are not engraven with the character of that which is imprinted in their spirits. We see now *that the wicked walk on every side, when the vilest men are exalted. And when the wicked rise, the righteous is bidden ; and when they bear rule, the people mourneth : but when righteous men are in authority, the people do rejoice : and when the righteous rejoiceth, there is great glory,* Psal. xii. 8. Prov. xxviii. 12. and xxix. 2.

7th Reason. That which is the accomplishment and perfecting of the malignant design, that hath been driven on these years past, especially since the unlawful engagement, it cannot be a course approven of God : But the present course is the accomplishment of that design. *Ergo*, That there hath been a design, for a long time, driven and endeavoured, both at home and abroad, with much policy and industry, by many turnings and windings, and by arguments of several kinds, as the exigence of the times did furnish : and that the design was, to have all such persons in trust and power again, who had been secluded, that so they might compass their own ends, hath not been denied hitherto ; and we are persuaded no man that fears God, and observes the times, is ignorant of it. Let the public papers of the treaty at Breda, and the public papers of this kingdom and church at home, be consulted ; they bear witness for us. Was not the foundation of it laid in Holland ? Many of them in both nations, brought home with the king contrary to public resolutions, and by the prevailing influence of some in the state, kept in the kingdom, contrary to public resolutions ? Was not the work of purging judicatories and armies obstructed ; the godly discountenanced and discouraged ; great endeavours used to raise the malignants in the South and in England ; and, since the defeat, to raise all without exception in the North, but when that could not be obtained, by the withstanding of honest men in the state ? The levies appointed, which would have been a considerable force for the defence of the kingdom, was rendered wholly ineffectual ; partly by taking money for men ; partly by raising the malignant party, and then pretending to go against them : They were pacified by an act of indemnity, the fruit and result of all which is, this
present

present conjunction with them, and putting the power of judicatories and armies in their hand. Thus the design is compleated.

8th Reason. That which will increase the Lord's indignation and controversy against the land, yet seven times more, that is very unlawful and unseasonable: But so it is, that confederacy and association with the people of these abominations, will increase the Lord's indignation and controversy seven times more. *Ergo*, The assumption was as manifest and uncontroverted as the proposition, a few months ago, but it is begun now to be questioned by some, *qui quod sciunt nesciunt, quia sapiunt*. But we shall evince it. 1. We are standing under such a sentence, which we deliberately and sincerely past upon ourselves, in the days of our vows to God, that if we did ever any more join with the people of these abominations, the Lord would consume us till there was no remnant. And this was not done in rashness but in sobriety, and with a scripture president, Ezra ix. 12, 13. 2. Our experience hath made this clear to us. We never did mingle ourselves among them, but the Lord did pursue us with indignation, and stamped that sin, as in vive characters, upon our judgment. God hath set upon that rock, that we have so oft split upon, a remarkable beacon. Therefore we do not only in our solemn engagements, bind ourselves over to a curse, in case of relapsing, but passes the sentence of great madness and folly on ourselves. *Piscator ictu sapit*. Experience makes fools wise, but it cannot cure madness. Did not that mixture provoke God at Dunbar? And is this the way to appease him, to revolt more and more? 3. Conjunction and confederacy with that party, doth necessarily infer a communion in blessings and plagues; we must cast in our lot with them, and have all one purse. Now it hath been confessed and declared by this church, that God hath a notable controversy with that party, that this enemy is in an eminent way to bear them down and crush them. Therefore if we join with them, we must resolve to partake of their plagues, and have that controversy pleaded against us also.

It is answered, That indignation need not be feared simply on this account, because the means are lawful and necessary; else, if this have any force, it will conclude, that we should lie down and do nothing, because God's indignation is upon the whole land.

But we reply, 1. Though it be true, that this enemy is the

rod of God's indignation against the whole land; yet it is certain to us, and hath been formerly unquestioned, that they are raised up, in a special way, to execute God's wrath on malignants, and God doth arm them with power in a signal manner for that end. Besides, the Lord's anger and indignation against his enemies is such, as will burn and none can quench it: it is of another nature than his wrath against his own people, which is a hiding of his face for a moment. He corrects us in measure and judgment, but leaves us not altogether unpunished: But he makes an end of other nations, especially these that rise up to actual enmity and hatred of his people, and shedding of their blood. And therefore, if any man would not meet with wrath and sore displeasure, he would stand at a distance with such, as God hath appointed for destruction; we mean, as long as they carry in their foreheads the mark of the beast. When God hath such a remarkable controversy against a people, then *he that helpeth and he that is helped, shall both fall together*, Isa. xxxi. 3. All that is in league with them, shall fall with them by the sword, Ezek. xxx. 5. and xxxii. 21. 2. Since it is known that the malignant party have not changed their principles, and so they cannot but in prosecuting this war establish their old quarrel and follow it, *to wit*, The king's arbitrary power; the interest of man above God's, or the kingdom's interest. We leave it to be judged impartially, whether or not these that associate with them, do espouse that quarrel and interest, at least expose themselves to all that wrath and indignation, which hath hitherto followed that quarrel, seeing they must have common blessings and curses? Will not that quarrel held up by most part of the army, be *a wicked thing*, an *Achan in the camp*, that will make God turn away from it and put Israel to shame?

Having thus established the truth, in the next place, we come to take off what objections are made to the contrary.

First, It is argued from human authority. The uncontroverted and universal practise of all nations in all generations, is, to employ all subjects in the case of necessary just defence. It was the practice of our reformers, who took into the congregation, and received all that, upon acknowledgement of their error, was willing to join, though they had been on the contrary faction. Such an universal practice of Christian nations, though it be not the ground of our faith, yet it is apparent that it cannot want reason for it.

Ans.

Answ. 1. This will plead as much against the exceptions added in the answer to the query and act of levy; for seeing other nations except none, in the case of necessary defence, why should we except any? And if once we except any, upon good and convincing grounds, upon the same ground we ought to except far more. 2. Mr. Gillespie, in his Treatise of Miscellany Questions, makes mention that the city of Strasburg, 1626, made a defensive league with Zurich, Berne, and Basil; because they were not only neighbours, but men of the same religion. And the elector of Saxony refused to take into confederacy, these who differed from him in the point of the Lord's supper; lest such sad things should befall him, as befall these in scripture, who used any means of their own defence. This rule was good in *Thesi*, though in that case misapplied. Now then, if they made conscience of choosing means of their own defence, a confederacy with foreigners; may not the same ground lead us to a distance with our own countrymen, as unqualified, who have nothing to commend them but that they are of the same nation, which is nothing in point of conscience. 3. The practice of other nations, that are not tender in many greater points, cannot be very convincing: especially, when we consider that the Lord hath made light to arise, in this particular, more bright than in former times. God hath taken occasion of illustrating and commending many truths unto us in this generation, from the darkness of error, and of making straight many rules, from the crookedness of mens practice and walking. Is not the Lord now performing the promise of *purging out the rebels* from among us *and them that transgress*? God hath winked at former times of ignorance, but now, the Lord having cleared his mind so to us, how great madness were it *to forsake our own mercy, and despise the counsel of God against our own souls*? As for that instance of our reformers, there could not have been any thing brought more prejudicial to that cause, and more advantageous for us. After they were twice beaten by the French in Leith, and their forces scattered, and the leaders and chief men of the congregation forced to retire to Stirling; John Knox, preaching upon the eightieth psalm, and searching the causes of God's wrath against them, he condescends upon this as the chief cause, That they had received into their councils and forces, such men as had formerly opposed the congregation; and says, God never blest them since the Duke had come among them. See

Knox

Knox' Chron. 2. It cannot be shewed that ever they took in a party and faction of such men, but only some few persons; which, though it was not altogether justifiable, yet more excusable. But now the public resolutions hold forth a conjunction with all the bloody murderers in the kingdom (excepting very few), and these without profession of repentance in many, and without evidence of the reality of it almost in any. 3 These persons were not such as had once joined with the congregation, and relapsed and become enemies to it; but they turned to the protestant religion from popery: But ours is a different case.

2. It is argued from scripture. Three scripture instances are brought to justify the present proceedings. The first instance is from the practice of God's people in the book of Judges, who, when for defection from religion they were brought under oppression, yet when any governor was raised by God for their defence, they gathered and came all out promiscuously, notwithstanding a great part of them had been in the defection; yet it is not found that their governors are reproved for this, but rather sad curses on them that came not out to the work, Judges v. 15, 16, 17, 23. The second instance is from the story of the kings, very like the first; when, after defection, gracious reforming kings arose, and had to do against foreign invasion, we find them not debarring any subjects, but calling them out promiscuously: Neither is this laid to their charge, that they called out such and such subjects, though we may perceive by the story of the prophets, that the greater part of the body of the people were wicked, &c.

We answer to these two instances jointly. 1. We may by the like reason prove, that which is as yet uncontroverted (we know not how long), That we ought at no time to make choice of instruments, neither in case of prosecution of the cause and the invasion of others, nor yet in the time when choice is to be had; and so, that all our former engagements, resolutions and proceedings, in the point of purging judicatories and armies, was superfluous and supererogatory: because we read not that the reforming kings or judges, whenever they had an invasive war, and in the times that they had greatest plenty and multitudes of people, did ever debar any of their subjects from that service, but called them out promiscuously. Neither is this laid to their charge; though we may perceive that the greater part of the people were

were wicked under the best kings: therefore we may lawfully employ any subjects of the kingdom in any of our wars. And we may look upon all indifferently, without any discerning of persons that fear God and them that fear him not, as in good capacity to be entrusted, even when otherwise we have choice of instruments. Certainly it follows, by parity of reason: for if you conclude that, from the calling forth all promiscuously, and no reproof given for it in the case of necessary defence; then we may conclude, from the calling forth of all promiscuously, and in the case of an invasive war, and no reproof recorded, that neither, in such a case, it is sinful to make no difference, and that with strong reason: because it being more easy in such a case to choose instruments and no necessity pleading for it: if it had been sinful, the prophets would have rather reproved it, than rebuked them for using such means in a case of necessity. 2. We may argue after that manner, that in the case of necessary just defence, there should be no exceptions made at all of any persons; because we read not that the judges or kings debarred any subjects, neither that they were rebuked for so doing. Therefore the instances militate as much against the exceptions added in the answer to the query, as against us; unless it be said that there was no such persons among that people, which were as groundless rashness as to say that they gave all evidence of repentance. 3. Seeing the judges and reforming kings of Judah, were so accurate and exact in cleaving to the law of God, and walking according to it in all other things; it were more charitable and Christian judgment to say, that since they are not reproved for any fault in particular, that they were also exact to walk according to the rule, Deut. xxiii. in so great a point as this. 4. Mens practice is often lame and crooked, and therefore must be examined according to the rule; but it were not fair dealing to accommodate the rule to mens practice. Seeing then we have so clear and perfect a rule, Deut. xxiii. which must judge both their practice and ours; we see not how their practice can be obtruded as a rule upon us, which itself must be examined according to a common and general rule. If it be not according to that law, we hold it to be sinful in itself, and so no president for us, albeit the prophets did not reprove it in express and particular terms (as they did not reprove man-stealing, &c.) yet they rebuked it by consequence in as far as they rebuked the kings for association with wicked

ed Israelites, which is condemned upon grounds common to this very case in hand. 5. We see not any ground for such promiscuous calling forth of the people by the judges. Barak's business, as that of Jephthah and Gideon, was done by no great multitudes of people, but a few choice men. 6. As the oppression was heavy and continued long; so the repentance of the people was solemn; and their deliverance a fruit of this. 7. Their case and ours is very different; none of Israel or Judah, did fight against the profession of the true religion, and shed the blood of their fellow-subjects who were for the defence of the same. Israel in the days of the judges, and Judah in the time of the reforming kings, was not divided the one half against the other, upon opposition and defence of the true religion; and the better part, after many experiences of the treachery and enmity of the most of the worst part, solemnly engaged to God, not to admit them to employment and trust, but upon real evidence of repentance, of which they should judge as in the sight of God. And last of all, did ever Israel or Judah, in the days of their judges and reforming kings, admit into their armies, a party and faction of such as had given no real evidence of their abandoning their former course; and such a party, as had been long studying to get the power of armies and judicatories in their own hands for attaining their own ends? But all those are in our case.

The third instance from scripture, is from 1 Sam. xi. which is alledged to be a clear practice, and stamped with divine approbation. In the case of Jabesh-Gilead besieged by a foreign enemy, Saul commands all to come forth for defence of their brethren, under pain of a severe civil censure. Now, what Saul did in this business, the Spirit of God is said to act him to it, and what the people did, was from the fear of God, making them obey the king: And then Samuel in this acting concurs jointly, and makes no opposition; and last of all, the people came forth as one man; and yet chap. x. 27. many men of Belial were among them, who malignantly opposed Saul's government, contrary to God's revealed will.

To which we answer, 1. The stamp of divine approbation is not apparent to us, success doth not prove it; neither the Spirit coming on Saul, nor the fear of God falling on the people, will import a divine approbation of all that was done in the managing that war. That motion of the Spirit is no sanctifying

sanctifying motion; but a common, though extraordinary, impulse of Saul's spirit to the present work, which, doubtless, was in the king of Babylon, whom God raised up, fitted and sent for the destruction of many nations: albeit that work in his hand was iniquity. That fear of God that fell upon the people, was but a fear of the king imprinted by God, and it is more peculiarly attributed to God, because the people did despise and condemn him, which makes their reverence and fear to be a more extraordinary thing upon a sudden. Then, Samuel not opposing the course in hand, doth no more import his approbation of all that was done in it, than his not reproving the men of Belial, doth prove that he approved of their opposition. 2. It doth not appear that the men of Belial were a great faction and party; there is something in *ver.* 12. speaks against it. It is not like the people would put a faction and party to death. 3. Neither doth it appear that they were in the army; for that which is said, that all the people came out as one man, doth only import, that the body and generality of them came forth; and that it was a wonder so many came forth so suddenly at the command of the king, who was but mean and abject in their eyes. It is certain that all sensible people were not present, because the whole army being numbered, *ver.* 8. was but 330,000. And who will say there was no more men in Israel, when they had 600,000 such, and above, before their coming into the land? Seeing then, many have staid at home, it is most probable that these men of Belial would not come, seeing they despised Saul's mean and low condition in their heart, and thought him unfit to lead their armies, till he should prove what was in him. That which is said, *ver.* 12. doth not prove they were in the camp; it might be conveniently spoken of absent persons. 4. It is not certain that these men were wicked and scandalous in their conversation; haters of godliness and of their brethren; but that they stood at distance only with Saul, in the point of his election; which indeed was blame-worthy, seeing God had revealed his mind in it: and therefore they are called Men of Belial, as Peter was called Satan, for opposing Christ's suffering.

Some other scriptures are alledged by some, as David's employing of such men, &c. all which are cleared in Mr. Gillespie's Treatise of Miscellany Questions, quest. 14.

3. It is argued from reason. And, 1. That which any is obliged to do for another's preservation by the law of God

and nature, and which he cannot omit without the guilt of the other's destruction, that may the other lawfully require of him to do when he needs it, and when it may be done without the undoing of a greater good; but so it is, that every subject is obliged by the law of nature, oath and covenants, and the law of God, to endeavour to their power, the preservation of the kingdom against unjust violence: And the safety of the kingdom stands in need of many subjects' assistance who were secluded; and it may be done without undoing a greater good than is the preservation of religion. *Ergo,*

This argument hath an answer to it in the bosom of it. 1. We shortly deny the assumption, in relation to the two last branches, both that the kingdom's preservation stands in necessity of these mens help: And that their help tends not to the undoing of a greater good, seeing there is no reason given to confirm these two points, wherein the nerve of the business lies, we refer to a Reason of our denial of them given *p.* 29. 2. It is true that the obligation to such a duty lies upon all; but that obligation is to be brought in act and exercise in an orderly and qualified way, else what needed any exceptions be in the act of levy? Excommunicated persons are under the same obligation, yet the magistrate is not actually obliged to call such, but rather to seclude them. Are not all bound to come to the sacrament who are church members? yet many are not in a capacity to come, and so ought neither to presume to come, nor be admitted. Are not all subjects obliged to defend the cause of God, and to prosecute it? and yet many, because of their enmity to the cause of God, are actually incapable of employment in the defence or prosecution thereof. 3. The law of nature is above all human laws and constitutions, they must cede whenever they come in opposition to it, *Salus populi is suprema Lex* in relation to these: But in relation to the law of God it is not so; sometimes the law of nature must yield to positive commands of God. Abraham must sacrifice his son at God's command. The law of nature obliges us to the preservation of ourselves, but it does not oblige to every mean that may be found expedient to that end, unless it be supposed lawful and approved of God. Therefore the Lord in his written word doth determine, what means we may use for that end, and what not. But, 4. We conceive that the law forbidding association and confederacy with known wicked

ed and ungodly persons, is included in the law of nature, as well as the law that obliges us to self-preservation; that is grounded on perpetual reason, as well as this. Nature bids me preserve myself, and nature binds me to have one friend and foe with God. The heathens had a notion of it; they observed, that Amphiaraus, a wise and virtuous man, was therefore swallowed up in the earth, with seven men and seven horses, because he had joined himself and associated with Tydeus, Capaneus and other wicked commanders marching to the siege of Thebe. Mr. Gill. Miscell. Quest. chap. 14. p. 171.

2. The second reason is framed thus *in Hypothesi*. Such as are excluded are a great part, if not the greater part, of the remnant of the land, if rules of exclusion be extended impartially. Now, they having their lives and liberties allowed them, must either in these things be ensured by the interposing of a competent power for their defence, or else they must have liberty to act for themselves. But so it is, that we cannot interpose a competent power for their protection. *Ergo*, They must have liberty to act for themselves. *Nam qui dat vitam, dat necessaria ad vitam.*

We answer, 1. It is not certain that such as are excluded are the greater part of the land; however, it is certain, that though the rule had been kept, and endeavours had been used to walk according to it, yet many whom it excludes would have been taken in. There is a great difference between endeavour of duty, and attaining its perfection. If the rule had not been quite destroyed, so great offence could not have been taken, though it had not been strictly urged in all particulars.

2. We still affirm, upon evident grounds to us, that there is a power competent in the land, beside the malignant party, which may protect the land and ensure their lives and liberties. 3. We are persuaded many of that party, who have been so deeply involved in blood guiltiness and barbarous cruelties, should neither have lives nor liberties secured to them: because they ought not to be permitted to live. But the not taking away so much guilty blood from the land by acts of justice, is the cause that so much innocent and precious blood is now shed. Our rulers have pardoned that blood which God would not pardon: and therefore would not pardon it to the land, because they pardoned it to the murderers.

Sect. 4. *That it is not lawful for the well affected subjects to concur in such an engagement in war, and associate with the malignant party.*

SOME convinced of the unlawfulness of the public resolutions and proceedings, in reference to the employing of the malignant party, yet do not find such clearness and satisfaction in their own consciences as to forbid the subjects to concur in this war, and associate with the army so constituted. Therefore it is needful to speak something to this point, *That it is as unlawful for the subjects to associate and join in arms with that party, as it is for the parliament to employ them.* For these reasons.

1. The scriptures before cited against associations and confederacies with wicked and ungodly men do prove this. The command prohibiting conjunction with them and conversing, &c. is common both to magistrates and people: for the ground of it is common to both. *The peoples ensnaring, helping of the ungodly, &c.* It were strange doctrine to say, that it is not lawful for the parliament to associate in war with the malignants, lest the people be ensnared: and yet it is lawful for the people to associate with them upon the command of the parliament, seeing the ensnaring of the people hath a more immediate connexion with the peoples conjunction with them, nor with the parliament's resolution about it. Had it not been a transgression in all the people to have joined with these men before the parliament's resolution about it? How then can their resolution intervening loose the people from their obligation to God's command? Shall it be no sin to me, because they sin before me? Can their going before me in the transgression, exempt me from the transgression of that same law which obliges both them and me? 2. The people were reprov'd for such associations as well as rulers, though they originated from the rulers. The prophets speak to the whole body. *What hast thou to do in the way of Egypt, &c.* Jer. ii. 18. And Isa. xxxi. *Wo to them that go down to Egypt.* Psal. cvi. *They mingled themselves, &c.* The Lord instructed Isaiah, and in him all his own people, all the children whom God had given him, saying, *Say not ye, A confederacy, to all them to whom this people shall say, A confederacy,* Isa. viii. 12. When all the people were going on in such a mean of self-defence, the Lord instructed him

him and the disciples among whom the testimony was sealed, that they should not walk in the way of this people. When Jehoshaphat was reproved for helping the ungodly, was not all his people reproved that went with him? They were the helpers of the ungodly as well as he. If Amaziah had refused to dismiss the army of Israel whom God was not with, doubtless it had been the subject's duty to testify against it, and refuse to concur and act in such a fellowship.

3. If the association and conjunction with malignants be only the sin of the parliament, and not the sin of the people, who do upon their command associate with them; then we cannot see how people can be guilty of association with malignants at any time, and in any case. To join with them in an ill cause is not lawful indeed: but neither may we join with good men in an evil cause. Suppose then the cause be good and necessary (as no war is just if it be not necessary) in what case or circumstances shall association with them be unlawful for the people? If it be said, in case the magistrate command it not, we think that strange divinity, that the sole command of the magistrate should make that our duty, which in absence of his command is our sin; and that not because of the absence of his command but from other perpetual grounds. Certainly, whenever association with them is a sin, it is not that which makes it a sin because the magistrate commands it not, but because God forbids it. And it is as strange, that the unlawful and sinful resolution of parliament should make that lawful to me which otherwise had not been lawful. It is known that human laws oblige not, but as they have connexion with God's word. Now if that law, enjoining a confluence of all subjects for the defence of the kingdom, be contrary to the word, in as far as it holds out a conjunction with malignant and bloody men, how can it be lawful to me, in obedience to that ordinance, to associate with these men? If it be said to be lawful in the case of necessity, that same necessity is as strong a plea for the magistrates employing them, as for the peoples joining with them: and if it do not justify that, it cannot excuse this. If the lawfulness of the mean must be measured by the justice and necessity of the end; then certainly any mean shall be lawful in the case of just and necessary defence; then we may employ Irish cut-throats; then we may go to the devil for help, if expediency to compass such a necessary and just end be the rule of the lawfulness of the mean.

4. The whole land is bound by the covenant and solemn engagement not to associate with the malignant party: *Ergo*, It is as sinful for the people to join with them as for the magistrate to employ them. Are we not all bound by covenant, to endeavour to bring malignants to condign punishment, and to look on them as enemies? And is not conjunction and confederacy with them, on the peoples part, as inconsistent in its own nature with that duty, as the magistrate's employing them is inconsistent with his covenanted duty? When all the people did solemnly engage themselves not to join any more with the people of these abominations, was the meaning of it, We shall not join until our rulers join first; or, We shall not join with them in an ill cause? No indeed; but we shall not employ them in a good cause, or join with any party of them in it. If that engagement be upon every one in their station, let us consider what every man's station in the work is. The ruler's station and calling is to choose instruments, and levy forces for the defence thereof. The subject's station and calling is, to concur in that work, by rising in defence of the cause and kingdom. Now, what did the subject then engage unto? Certainly, unless we mock God, we must say, that as the magistrate engaged not to employ that ungodly generation in a good cause, so the subject engaged not to join with any such party even in a good cause. If this be not the meaning of our engagements and vows, we see not how the subjects are in capacity to break them, as to that precise point of association.

In sum, All the reasons that are brought to prove the unlawfulness of the public resolutions, may with a little variation be proportionably applied to this present question. Therefore we add no more but a word to an objection or two.

Object. 1. A necessary duty, such as self-preservation is, cannot be my sin. But it is the subject's necessary duty to rise in defence of the kingdom. *Ergo, Answer.* A necessary duty cannot be a sin in itself, but it may be a sin in regard of some circumstances, in which it ceases to be a necessary duty. It is a necessary duty to defend the kingdom: but it is neither a duty nor necessary to do it such a conjunction and fellowship, but rather a sin. If I cannot preserve myself, but by an unlawful mean, then self-preservation in such circumstances, is not my duty.

Object. 2. Jonathan did assist Saul in a war against the Philistines invading the land, and no doubt many godly joined
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and died in battle. Now this is commended in scripture, as may be seen in David's funeral upon them; although it was known that Saul was an hater of God's people and a persecutor, and that God had a controversy with him, and that these 3000 that assisted him against David were also ungodly and wicked men. *Ans.* 1. These scriptures speak nothing to commend that particular act of Jonathan's conjunction in war with his father. David in his epitaph speaks much to the commendation of both Saul and Jonathan, as of excellent warriors; and of Jonathan as a kind and constant friend to him: but there is nothing touched of that point. If that place be pressed, it will follow with much more evidence, that Saul was as good a man as Jonathan, and that the people of God had great loss in his death. But none of these must be pressed rigorously from a speech wherein he vents his affection and grief. 2. Suppose the natural bond of Jonathan to Saul his father, and the civil bonds of the people to Saul their king, did oblige them to join with him against the common enemy; yet we think they ought not to have associated with these persecuting servants, and the 3000 that pursued David; but they ought to have pleaded for a purging of the army. 3. It is not probable that there were many godly persons employed in that army. David complains of that time, Psal. xii. *That the godly man ceased, and the faithful from among the children of men: and that the wicked walked round about when the vilest men were exalted.* 4. Many of the laws of God have not been much taken notice of, even by godly men, until the Lord hath taken occasion to reprove them particularly, and so to mind them of their duty. It is like the rule, Deut. xxiii. hath not been considered till the time of Jehoshaphat and Amaziah, &c.

SECT. 5. *Scriptures shewing the sin and danger of joining with wicked and ungodly men*

WHEN the Lord is punishing such a people against whom he hath a controversy, and a notable controversy, *every one that is found shall be thrust through: and every one joined with them shall fall,* Isa. xiii. 15. They partake in their judgment, not only because in a common calamity all shares, as in Ezek. xxi. 3. but chiefly because joined with and partakers with these whom God is pursuing. Even as the strangers that join to the house of Jacob partake of
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her blessings, chap. xiv. 1. To this purpose is Isa. xxxi. 2, 3, and Ezek. xxx. 5, 6, 8. The mingled people and these that are in league with Egypt partake in her plagues, and these that uphold that throne that God so visibly controverts with, *their power shall come down, and all its helpers shall be destroyed*, as it is Jer. xxi. 12, 20, 24. And this is the great reason of these many warnings to go out of Babylon, Jer. l. 8. and li. 6. Remember that passage, 2 Kings i. 9, 10, 11, 12. the captain and messenger of the king speaks but a word in obedience to his wicked master's command, and the fifty are but with him and speak not: but their master's judgment comes on them all.

Consider how many testimonies the wise king, in his Proverbs, gives against it. Chap. i. from ver. 10, to 19. *My son, if sinners entice thee, consent thou not. If they say, Come with us, let us lay wait for blood, let us lurk privily for the innocent without cause. Let us swallow them up alive as the grave, and whole as those that go down into the pit. We shall find all precious substance, we shall fill our houses with spoil. Cast in thy lot among us, let us have one purse. My son, walk not thou in the way with them; refrain thy foot from their path. For their feet run to evil, and make hast to shed blood, &c.* Here are the practices and designs of wicked men expressed in their own nature: but certainly they would colour them over with fair pretences; their purpose is to undo men, especially godly men that clasped and purged them. Yea, it is the profession of many, and they scarce lie privily, or have so much wisdom as to conceal their designs till their fit opportunity: but before the power be confirmed in their hand, they breathe out cruelty against all the innocent in the land, and promise themselves great gain by it, and are already dividing their estates among them, saying, we shall find *all precious substance*, ver. 13. But, my son, if thou fear God, though they entice thee with specious arguments of *nature*, and *necessity*, and *country privileges*, yet consent not. Venture not thy stock in one vessel with them: cast not in thy lot among them. *Walk not in the way with them: refrain thy foot from their path*: for they are not come to the height of iniquity, they are running on to it: And if thou join, thou wilt cast thyself in a miserable snare; for either thou must go on with them to their designed and professed evils, or be exposed to their cruelty.

Chap. ii. from ver. 10. to the end. *When wisdom entereth into*

into thine heart, and knowledge is pleasant to thy soul, discretion shall preserve thee, understanding shall keep thee. To deliver thee from the way of the evil man, from the man that speaketh froward things. Who leave the paths of uprightness, to walk in the ways of darkness, &c. If thou take the word of God for a lamp to thy feet, and it enter into thy soul, and be received in love and affection, it will certainly keep thee from the evil man's way, who have already left the righteous paths to walk in the ways of darkness, who rejoice in nothing so much as in the sorrows and miseries of the godly, and delight in one another's wickedness. And it will keep thee chaste to thy husband Christ Jesus, and preserve thee from committing fornications with Egypt as Aholah and Aholibah, and joining so nearly with the degenerated seed of Abraham, who are but as strangers: for come near their house and paths, and they will lead thee to destruction with them, or make thee a more miserable life: But these that go to them return not again quickly; they are like fallen stars, shall they ever be set in the firmament again? It is safest to walk with good and righteous men: for God's blessing and promise is on them. His curse and threatening is on the wicked: therefore thou may fear wrath on that account, if thou join with them.

Chap. iv. ver. 14, to 20. *Enter not into the path of the wicked, and go not in the way of evil men. Avoid it, pass not by it, turn from it, and pass away. For they sleep not except they have done mischief: and their sleep is taken away except they cause some to fall. For they eat the bread of wickedness, and drink the wine of violence. But the path of the just is as the shining light, that shineth more and more unto the perfect day. The way of the wicked is as darkness: and they know not at what they stumble.* It was said, chap. iii. 23. that the man who keeps wisdom and the fear of God in his heart, should walk in the way and not stumble. That safety hath ease in it here, their steps are not straitened, as when a man walks in steep and hazardous places, which cannot choose but it will be, if a man enter into the path of wicked men, he must either go along in their way with them, and then it is broad indeed; or, if he think to keep a good conscience in it, he will be pinched and straitened: therefore it is most free for the mind and conscience to avoid and pass by that way: *for they sleep not, &c.* they will never be satisfied till they have done a mischief, they will live upon the ruins of the poor country.

And how wilt thou join in that? Or how can thou eschew it if thou walk with them? If it were no more, 'tis a suspected by-path, that thou never travelled into. O pass by it; or, if thou be entered, turn out of it. If thou wilt enter upon the apprehension of some light and duty in it, know that it is but evening, sun is setting, and thou wilt be benighted ere it be long: and thou shalt stumble then and not know whereupon, even on that thou sees now and thinks to eschew and pass by. Then from *ver.* 25, to the end. *Keep thy heart with all diligence: for out of it are the issues of life, &c.* Except thou keep thy heart and whole man, thou cannot escape falling into some temptation: O keep thy heart diligently on the knowledge and love of the truth. Take heed to thy words. Look not a-squint but directly to that which is good. Give not a squint look to any unlawful course, for the necessity or utility it may be seems to attend it. But look straight on, and ponder well thy way thou walks in, that thou run to no extremity either to one party or other; That thou walk in the middle way between profanity and error, thou held these ways hitherto for extremes. Ponder; I beseech thee then, before thou walk in any of them; see whether they be really come to thee, or thou to them. Mark who is changed.

Chap. vi. 8, to the 15. *Remove thy way far from her: and come not near the door of her house. Lest thou give thine honour unto others, and thy years unto the cruel. Lest strangers be filled with thy wealth, and thy labours be in the house of a stranger. And thou mourn at last, when thy flesh and thy body are consumed; and say, How have I hated instruction, and my heart despised reproof? And have not obeyed the voice of my teachers, nor inclined mine ear to them that instructed me, &c.* If thou would be safe from snares, remove from the way and house of the strange woman. Thou must fall in Aholah and Aholibah's whoredoms, Ezek. xxiii. except thou come not near them. If thou keep not from that assembly and congregation, thou shalt be *almost in all evil*. If thou join with them, thou cannot but partake of their sins and plagues; and so thou shalt say after, when thou cannot well mend it, *I was near gone, my steps almost gone*, and all the assembly of his people shall witness to it.

Chap. vi. 16, 17, 18, 24, 25. *These six things doth the Lord hate, yea seven are an abomination unto him. A proud look, a lying tongue, and hands that shed innocent blood. An heart*
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that deviseth wicked imaginations, feet that be swift in running to mischief. To keep thee from the strange woman, from the flattery of the tongue of a strange woman. Lust not after her beauty in thine heart; neither let her take thee with her eye-lids. Describes both our enemies, the malignant party and the sectarian. Pride, violence, cruelty, lying, is the very character of the one. Flattery, beauty of pretended religion, false witnessing and charging of the Lord's people, and seeking to sow discord among these that were one in heart and work, is the character of the other. Now, keep thee from both these abominations: and do not think, it is in thy power not to be infected with the contagion of their fellowship. *Can a man take fire in his bosom and his clothes not be burnt? Can one go on hot coals and not burn his feet?* So whoever associates and goes in friendly to either of them *shall not be innocent*, ver. 27, 28, 29.

Chap. vii. 14, &c. *I have peace-offerings with me, this day have I paid my vows.* They pretend religion on both sides. And our church says, The malignants have satisfied them, and repented, even like the peace-offerings and vows of the whore. She began with her devotion, that she might with more liberty sin more, and have that pretence to cover it; and by means of her offerings, she got a feast of the flesh. Even as they by profession of repentance are admitted to trust; and by offering for the like sin, a new sin is covered, and vows undertaken never to be kept. Therefore take heed of these snares: *For she hath cast down many strong*, ver. 26. Many a tall cedar hath fallen by that fellowship. It is the way to hell, ver. 27. See chap. viii. 13.

Chap. x. Shews us the very different estate of the godly and wicked, both in regard of light and knowledge concerning duty, and of blessings promised. Ver. 6, 9, 11, 20, 23. *Blessings are upon the head of the just: but violence covereth the mouth of the wicked. He that walketh uprightly, walketh surely: but he that perverteth his ways, shall be known. The mouth of a righteous man is a well of life: but violence covereth the mouth of the wicked. The tongue of the just is as choice silver: the heart of the wicked is little worth. It is as a sport to a fool to do mischief: but a man of understanding hath wisdom*, &c. ver. 24, 25, 28, 31, 32. Which shews us, that if the Lord's mind be revealed to any concerning the present courses, it must be to his poor people that wait on him, and not to all the wicked and ungodly in the land, who almost

only are satisfied and clear in the course, who yet before were never satisfied. And beside, though the Lord be chastising his people, yet one may join with them without fear of wrath and indignation on that account, and with hope of partaking of their blessings, when he cannot and dare not join with a wicked party pursued with wrath and indignation in the same dispensation. Which may be more clear from chap. xi. 3, 5, 8 *The integrity of the upright shall guide them: but the perverseness of transgressors shall destroy them. The righteousness of the perfect shall direct his way: but the wicked shall fall by his own wickedness. The righteous is delivered out of trouble and the wicked cometh in his stead.* And ver. 10, 11. shews the different condition of people under wicked rulers and godly. All the wicked now rejoice; none shouts but them, they think their day is come: the godly generally hang their head and are discountenanced. Even as Psal. xii. The 21, and 31 ver. shews that when godly men are chastised and punished in the earth for their sins, much more wicked, especially when the godly were chastised for partaking with them, according to 1 Pet. iv. 17, 18. Isa. x. 12. and xlix. 12.

Chap. xii. 13. *They are snared by the transgression of their lips;* their ordinary common speeches they drop out with, declare them and make their cause more hateful than other pretences it is covered with would permit. Yea, they speak like the piercings of a sword against the godly, ver. 11. If our state and church had a lip of truth, they would speak always the same thing, they would not carry in their talk and writings, as now every common understanding perceives. We may find their writings made up of contradictions: *For a lying tongue is but for a moment,* ver. 19. It is but for a moment indeed before the judicatory, and then out of doors it contradicts itself, as in the mock repentances. But sorrow and anguish will come to these, who before they would speak of terms of peace with one enemy, would associate in war with another. *But to the counsellors of peace is joy,* ver. 20. The present course contradicts this. Ver. 26. *The righteous is more excellent than his neighbour: but the way of the wicked seduceth him.* They think these malignants better than the west country forces; they would condescend to any terms to get their help, though it were to ranverse the Act of Classes, to give them indemnity; yea, not so much as to condemn their way: but they will not so much as clear the state of the quarrel, or choose a better general for all their help.

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Their way seems good in their own eyes, ver. 15. But it were wisdom to hearken to the counsel of the godly.

Chap. xiii. 10. *Only by pride cometh contention: but with the well advised is wisdom.* There is nothing keepeth up our contention and wars but pride: no party will condescend to another. We will not say we have done wrong in bringing in the king; they will not say they have done wrong in invading: But it were wisdom to fall lower and quit those interests. Ver. 16. *Every prudent man dealeth with knowledge: but a fool layeth open his folly.* A wise man would count before the war, if he can accomplish it: and if he cannot, then he would send messengers of peace, and cede in all things he may without sin. If it be but more honour and wealth to our king, should we destroy the kingdom to purchase that? Our rash and abrupt proceedings shews our folly. Ver. 20. *He that walketh with wise men shall be wise: But a companion of fools shall be destroyed.* A man will be, must be assimilated to his company, and then partake of their judgment or blessings.

Chap. xiv. He that is accustomed to speak truth in private, will in his common speech be a faithful witness in public: but a man accustomed to lying, dissembling, swearing in private, will not stick to forswear himself, to make professions and vows contrary to his mind in public, ver. 5. (which is also chap. xii. 17. and vi. 19.) Such men seek wisdom and make a shew of religion, but find it not; whereas it is easy to godly men to find it, to find repentance and salvation, v. 6. Go away from foolish men and break off society with ungodly men; be not privy to their counsels; use them not as special friends, when thou perceives that all means are used in vain to reclaim them from their damnable way and principles, ver. 7. The knowledge a godly man hath, it serves to direct his way, and is given of God for it: But all the wit and skill of such wicked men is deceit; they themselves are beguiled by it in opinion and practice, and hope. And they also beguile others, ver. 8. Sin makes fools agree: But among the righteous, that which is good makes agreement (in the old translation) ver. 9. It is only evil will unite all the wicked in the land as one man: for 'tis a sport to them to do mischief, chap. x. 23. Albeit our way seem right in our eyes, yet because it is a backsliding way, and departing from unquestionably right rules, *the end will be death*, and we will be filled with our own devices. O it shall be bitter in the belly
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of all godly men when they have eaten it, *ver. 12, 14.* and chap. i. 31. *The simple believeth every word;* giveth credit to every vain word that is spoken: But a prudent man looketh well to mens goings; ponders and examines whether their professions and practices agree; what weight is in their words, by the inspection of their deeds, and of their ordinary speaking; and does not account a coined word before a judicatory sufficient to testify repentance: and as he gives not present credit to their professions, who have so often proven treacherous; so he himself fears at every appearance of evil, and keeps himself from it; whereas foolish souls rage and are confident; think any thing lawful if they can have any pretence for it, or use of it, *ver. 15, 16.* Then, what a great difference is between wicked and godly men, both in their lot, when God is correcting both? And in their disposition, wisdom that rests in the one's heart, is manifested; wickedness in the other's heart appears also. In the midst of such men there is no other thing, *ver. 32, 33.*

Chap. xv. 8. *The sacrifice of the wicked is an abomination to the Lord; but the prayer of the upright is his delight,* expresses how provoking a thing the outward professions and sacrifices of wicked men, continuing in their wickedness, what an abomination that commonly called public repentance, or ecclesiastical holiness is, when men are visibly unholy and ungodly in their conversation: And therefore he pleaded always with that people, that his soul abhorred their external ceremonies, *because of the uncleanness of their hands.* He pleaded that he never commanded them, though indeed he did command them; yet those were aberrations and departings from the express rule and command, to accept or be pleased with these sacrifices and ceremonies, when there was no evidence of real repentance. To this purpose are chap. xxi. 4, 27. Isa. i. 11. and lxvi. 3. Jer. vi. 20. and vii. 22. Amos v. 22. All which shew that it is but a mocking of the Lord, and perverting of his law, and profaning of his ordinances, to accept the profession of repentance in those who walk contrary thereto, and to count them ecclesiastically holy enough, who say, they repent; though a thousand actions witness the contrary. Of such the Lord says, *What hast thou to do to take my covenant in thy mouth, seeing thou hates to be reformed?* Psa. l. 16, 17. They have no right to it, they should not be admitted to it: for it is a taking the Lord's name in vain. The 16 verse tells us, that it had been better to possess our own land in quietness,

ness, than to venture what we have for the uncertain conquest of England, and restitution of the king, parallel with Eccl. iv. 8.

Chap. xvi. 7. *When a man's ways please the Lord, he maketh even his enemies to be at peace with him.* Can our states way then please the Lord, seeing they cannot find the way of peace? They will not walk in it; and seeing they make the godly in the land to fall out with them, and none to be at peace but the wicked, who may thereby get opportunity to crush the godly. Ver. 17. *The highway of the upright is to depart from evil.* This is the highway only to depart from evil, not carnal policies, nor advantages. He thinks the stepping aside to any of these is not the highway. Can their men change their way, and go cross to it, and keep the right way in both? No, the godly have this way and keep it: Chap. xvii. 11. *An evil man seeketh only rebellion; therefore a cruel messenger shall be sent against him.* Evil men seek only rebellion, and delights in no other thing: But the King of kings shall send a cruel messenger; he arms men with wrath and power against them. Ver. 13 speaketh sadly to the English and to our state, that rewarded the west country evil for good. Ver. 14, 19. tells us how we should advise before we begin a war, and leave no mean of composing difference and strife unessayed. We did more in it than the English, but not all we might have done. Ver. 15. with chap. xviii. 5. is a dreadful sentence against the public judicatories, that all their resolutions, papers, and practices, justify the wicked and ungodly as honest faithful men, and condemn all approved faithful men, that cannot go along in such courses, or were earnest to have them repent, as both malignants and sectaries. Do they not pronounce all malignants friends, and absolve them from the sentences and classes they stand under? And do they not put the godly in their place? They relax the punishment of the one, and imputes transgression to the other; and so brings them under a law. See Exod. xxiii 7. Prov. xxiv. 24. Isa. v. 23. and the 26 verse of this chapter. It is not good to punish godly men, who have given constant proof of their integrity, for abstaining from such a course, at least having so much appearance of evil, that many distinctions will never make the multitude to believe that we are walking according to former principles, because their sense observes the quite contrary practices, &c.

Chap. xviii. 2. *A fool hath no delight in understanding, but that*

that his heart may discover itself. Shews, that if the present cause and course were of God, and tended so much to his glory, fools or wicked men would have no such delight in it: for they delight in nothing but what is agreeable to their humour, to discover themselves, &c. Ver. 3. gives the true reason, why our public judicatories and armies are so base and contemptible; why contempt and shame is poured on them; because, *when the wicked comes, then also comes contempt, and with the vile man, reproach.* ver. 13. *He that answereth a cause before he hear it, it is folly and shame unto him.* Many pass peremptory sentence upon the honest party in the west, before they hear all parties, and be thoroughly informed, and this is a folly and shame to them. They hear the state and church and what they can say for their way; and indeed they seem just, because they are first in with their cause, and they will not hear another; but he that comes after will make inquiry, and discover those fallacies. Ver. 24. *There is a friend that sticketh closer than a brother.* A godly neighbour, not so near in natural bonds to us, that is a surer friend than many brethren in the flesh. These bonds of country and kindred, should all cede to God's interest. See chap. xvii. 17.

Chap. xix. 22. *A man's desire is his kindness: and a poor man is better than a liar.* The godly, that cannot concur in the public cause being disabled through an invincible impediment of sin lying in the way and means made use of, are better friends, and have more real good will to the establishment and peace of the land, than any ungodly man, let him be never so forward in the present course. Ver. 10. Pleasure and its attendants are not comely for a *wicked man*, i. e. foolish man; much less for a *servant*, i. e. men enthralled in their lusts, to rule over *princes*, i. e. godly men, highly privileged by God. All things that are good do ill become them; but worst of all to have power and superiority over good men, ver. 25. joined with chap xxi. 11. Ring-leaders of wickedness, refractory and incorrigible persons should have been made examples to others, and this would have prevented much mischief. The scripture gives ground for putting difference between the scorner and simple, seducers and seduced.

Chap. xx. 6. xxi. 2. and xvi. 2. *Most men will proclaim every one his own goodness; but a faithful man who can find?* It is no great wonder that malignants say they repent; and the

the state and church say they keep the same principles: for who will say any evil of himself? Ver. 8. Magistrates should scatter away evil men with their countenance, by denying it to them, and looking down on them: How then do our rulers gather them? Ver. 3. shews that war and strife should not be kept up but in extreme necessity: *fools will be meddling.* Ver. 11. shews that the best way of judging of men is by their doings and fruits, not strained words and confessions. But these who, upon a bare profession, pronounce a notour malignant a friend, having no proof of their integrity, and will not have any judged such, but such as judicially are debarred; yet they, contrary to all the testimony of works and fruits, judge and condemn honest men as traitors; though not judicially convicted. Certainly *divers measures are an abomination to the Lord*, as in ver. 10. Then ver. 25. sacrilege is described, and covered perjury, which is a snare to the soul that commits it, *to devour that which is holy*, i. e. Employeth to common use these things God hath set apart, and commanded to be kept holy, as our profaning of repentance and absolution by casting such pearls to swine, and for our own advantage making a cloke of them to bring in wicked men, contrary to the very nature and institution of the ordinance. Also our prostituting of our covenant and cause, most holy things, to maintain unholy or common interests. Our committing his holy things to them that will devour them. *And after vows to make inquiry*, to dispute now, that we did not bind ourselves in the case of necessity, not to employ wicked men; when as the ground is perpetual and holds in all cases. It shews either temerity in swearing, or impiety in enquiring afterward and changing. See Deut. xxiii. 21. Then ver. 26. *A wise king scattereth the wicked, and bringeth the wheel over them.* O that our magistrates were so wise! Is the act of levy a scattering of the wicked? Is the act of indemnity a bringing the wheel over them? Psal. ci. 8. *I will early destroy*, &c.

In chap. xxi. 10. *The soul of the wicked desireth evil, his neighbour findeth no favour in his eyes.* The wicked's principles carry no where but to evil, and to do evil to good men, ver. 8. His way and life is full of horrible and tragical chances: But a good man's work is easy and pleasant; directs to a good and peaceable end, Isa. xxvi. 7. In ver. 12. A righteous man should have his wit about him, to consider ungodly houses and families, and persons that God hath visible controversies with, that he may not communicate with them

in their judgments, ver. 16. It is a sad wandering out of the way, when a man leaves the congregation of the living to abide among the dead. Dead in sins and appointed to death. It is a great judgment as well as sin. Ver. 27, with the 4. and places before cited, shew how abominable the external professions and pretences of wicked men are, when contradicted by their practice; especially if they do it but out of a wicked mind, when they intend to effect some mischief, under the colour of repentance and being reconciled to the church. As Absalom's vow at Hebron; as Balaam and Balak, and the Pharisees, who under pretence of long prayers devoured widows houses; as Jezebel's fast; and as the people, Isa. lviii. 4. who fasted for strife and debate, and to strike with the fist of wickedness. All men know that the church is the ladder to step up upon to go to preferment, and repentance the door to enter to places of trust.

Chap. xxii. 3. *A prudent man foreseeth the evil and hideth himself, but the simple pass on and are punished.* He is a wise man that knows the judgment of the Lord, as the stork and swallow the time of their coming, that in the consideration of sins and threatenings, and comparing things spiritual with spiritual, apprehendeth judgment coming on such a course and such a party, and hides himself, goes aside, retires to a covert, by avoiding these evils, and the least fellowship with them that bring it on, and eschewing such a society as hath the cloud hanging directly above their head: but simple idiots and blind worldlings go on head-long, and dread nothing, and are punished, ver. 5. Most grievous plagues and punishments, and all manner of unhappiness encumbereth their wicked life: Therefore he that would keep himself pure and clean, 1 John v. 18. and save his own soul, shall be far from them; shall keep himself far from such people. He prays with Job, *Let their counsel be far from me.* Job xxi. 16, 17. *Because their good is not in their hand, their candle is oft put out, &c.* And resolves with Jacob, *My soul shall not enter into their secret,* to have such intimacy with them, as join counsels with them, Gen. xlix. 6. And ver. 10, 11. *Cast out of thy company, family, jurisdiction, the scorner that contemns the godly men, and mocks instruction: for such men are infectious, and able to corrupt all they converse with: But cast him out, and contention shall go out with him. It is such only that mars the union of the godly, that stirs up strife, and fomented divisions. Thou shalt have more peace,*
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and be more free from sin and shame. But, sound-hearted upright men, who deal faithfully, not to please but to profit, you should choose these to entrust and rely upon; these should be the friends of kings. Ver. 14. As a harlot's allurements are like pits to catch men, so the allurements of wicked ungodly men, their power, policy, &c. and their fair speeches and flatteries, are a deep ditch to catch men into this spiritual whoredom and fornication spoken of Ezek. xxiii. And he whom God is provoked with, by former wickedness, falls into it, Eccl. vii. 26. Ver. 24, 25. *Make not friendship with an angry man: and with a furious man thou shalt not go, &c.* And is not association in arms with such, as friends against an enemy, a making friendship with them we are sworn to hold as enemies? If we may not converse with a furious passionate man, how then with men of blood, enraged, whose inveterate malice hath now occasion to vent against all the godly? For thou wilt learn his ways, as we have always seen it by experience, and thou wilt get a snare to thy soul: If thou go not in his ways you cannot agree, you will fall out and quarrel, and that is a snare to thee. Ver. 28. *Remove not the ancient land-mark which thy fathers have set.* If it be so dreadful and accursed to remove our neighbour's marks and bounds, O how much more to change and alter God's land-mark; his privileges, oaths and covenants, &c. and chap. xxiii. 10, 11. Deut. xix. 14. and xxvii. 17.

Chap. xxiii. 1, 7. *When thou sittest to eat with a ruler, consider diligently what is before thee. For as he thinketh in his heart so is he, &c.* Consider diligently what men are, not what they pretend and seem to be: for as they think so are they, not as they pretend with their tongue and countenance, but as they think in their heart, which is better evidenced by their common and habitual speaking and walking, than any deliberate and resolved profession contrived of purpose. But if thou consider not this, the morsel thou hast eaten thou shalt vomit up; thou shalt dearly pay for thy credulity, and lose all thy sweet words. Ver. 23. *Buy the truth and sell it not, &c.* Do not we sell the truth and cause and all into the hands of the enemies of all? Whereas we ought to ransom the kingdom's liberty and religious interest, with the loss of all extrinsic interest that does but concern the accession of one's honour; yet we sell, endanger, and venture all for that.

Chap. xxiv. 1. *Be not thou envious against evil men, neither desire thou to be with them.* Godly men's hearts are often

tickled to be acquainted with, in league and friendship with wicked men, when they have power, that they may not be hurt by them; but seeing there is no society between light and darkness, let not the godly desire to be with them, as in chap. xxiii. 17. But rather to be in God's fear always, that is good company. The reason is ver. 2. Their heart studies the destruction of the godly, why then should thou walk with thine enemy? And you shall hear nothing but mischief in their lips. ver. 12. It is not according to mens words but works they should be judged, and why do not we follow that rule in judging? Do we mock God as one mocks another? Job xxxiv. 11. Psal. lxii. 12. Jer. xxxii. 19. Rom. ii. 6. Ver. 21, &c. Men given to change, false deceitful men, meddle not with such if thou either fear God or respect man; for such will be sure to no interest but their own. Their calamity shall come suddenly: therefore have nothing to do with them: for who knows the ruin of them, both of them and all other wicked men, or of both them and the king, if wicked? Also to the wise and godly this belongs. It is not good to have respect of persons in judgment, whether he be king or nobleman. A righteous state *respects not the person of the prince and mighty*, saith Job. But he that says to the righteous, You are wicked sectaries, and also malignants, because ye will not approve all their resolutions; and to the wicked, You are righteous; to the malignants, You are the honest men; the blessed of the Lord, who did ever to this day fall under Merōz curse: Should the people approve him? No, certainly; him shall they curse, and the nations abhor him, or them: But a blessing on them that would reprove our sins and search them out. ver. 29. The malignant party are even speaking so: as the classifiers and purgers did to us, even so will we do to them. But God will render them according to their work.

Chap. xxv. 2. *It is the honour of kings to search out a matter.* It is a king and judge's glory to search out a matter; to try dissemblers before they trust them; God's glory is to pardon, man's glory is to administer justice impartially. Ver. 4, 5. shews what need there is of purging places of trust, especially about the king. Dross cannot be melted, take what pains you will, it will not convert into a vessel and become useful. This mixed in, obstructs all equity, justice and piety where it is. The ruler should be the refiner to purge away this dross, and the army, or judicatory, or kingdom, is a vessel.

vessel. You shall never get a fined vessel for use and service, till you purge away the dross, Psal. ci. 4. Then, ver. 8. we should follow peace with all men as much as is possible, never to begin strife or draw the sluice of contention: But if we be wronged, we should not for all that go out hastily to strife, till, 1. The justice and equity of the cause appear. 2. That the matter whereabout we contend be of great moment, a ground to found a war upon. 3. That we first use all means of peace and agreement possible. 4. That we overmatch not ourselves with these who are too strong for us. See chap. xvii. 14. Lest thou be brought to that extremity that thou know not what to do. Thus Christ adviseth, Luke xiv 31. I am persuaded this would plead much in reason to yield security to England, so be our wrong were repaired and no more done. Ver. 19. shews what the employment of unfaithful men, who mean nothing less than they pretend, is, they fail when most is expected, and hurts beside, as Job's friends, chap. vi. 15. And ver. 26. A righteous and upright man, consenting with a wicked man in sin; or, through fear of him, not daring to do his duty, turning to him and his way, or dallying and flattering him in his iniquity, *is like a troubled fountain*, is not good and profitable for edification nor correction, having troubled the purity of his soul through the mud of carnal respects and interests: Corruption within is the mire, the wicked's seducements are like the beast's trampling it with his foot; and he is like a corrupt, infected and poisoned fountain, more ready to infect and draw others by his example. Ver. 27. A man should not seek honour and preferment that is base and shameful. None of the trees longed for sovereignty but the bramble.

Chap. xxvi. 1. *As snow in summer and as rain in harvest; so honour is not seemly for a fool.* It is as unseemly, prodigious and destructive a thing, to give honours, promotions and trust to wicked men, as snow and much rain in harvest; a reproach and punishment more becomes him, than honour the reward of goodness, (as ver. 3) a whip, rod and bridle for him, to restrain him from wrong and provoke him to goodness. ver. 6. He that commits an errand or business and entrusts a wicked man with it, is as unwise in so doing as if he did cut off the messenger's feet he sent; he deprives himself of the means to compass it; he sends a lame man to run an errand; he is punished by himself as if he had cut off his own feet, and procureth sorrow and discontent to himself, as if
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he were compelled to drink nothing but what is contrary to his stomach. ver. 7. All good speeches halt and limp in evil mens mouths; for there is no constancy in their mouths: Within they are very rottenness. *Out of the same mouth comes cursing and blessing*, James iii. 10. Their very words agree not; the public and extraordinary crosses, the private and ordinary, and their actions have less harmony with their words. *Professing they know God, in works they deny him, &c.* ver. 8. To give a madman a weapon, what else is it but to murder? To bring shot to an ordinance which may do much mischief to himself and others, is to be accessory to that mischief; so to give honour to a fool, he hath given power to them, and put them in a capacity to do evil, and set them on work again to perfect their designs against good men. ver. 9. As a drunken man, put a thorn in his hand, he can make no use of it, but to hurt himself and others; so wicked mens good speeches and fair professions, commonly tend to some mischief, these but cover their evil designs: and yet the covering is shorter than that it can hide them. ver. 10. Wicked rulers [look the margin] grieve and molest the subjects; and the means to effect this is, to employ the fool and transgressor, to give offices and countenance to evil men, which may be instruments of their lust; so Abimelech, Judges ix. 4. so Jezebel, 1 Kings xxi. 10. so in Neh. viii. 15. Ver. 11. The dog feeling his stomach surcharged, goes to the grass, as our malignants to profess repentance, and casts up that which troubles him by a feigned confession: But because there is no change in his nature; he is inwardly stirred by his old principles to lick up that vomit, to commit and practise what he professed repentance for; yea, and to profess the same he pretended sorrow for: When power is confirmed in their hand they will return to their folly. Ver. 17. What else is our interposing ourselves in the king's quarrel concerning England, though we have interest in it to endeavour it in a peaceable way, if he were fit for it; yet in comparison of our kingdom and religion's safety, which may be ruined by war, it is no such matter as belongeth to us: And so it falls out, we are like a man taking a dog by the ears to hold him: we have raised up many enemies; and provoked them to bite us: We cannot hold them long from destroying him; and we provoke them more by holding them, in espousing his quarrel, as Jehoshaphat joining with Ahab. We had done well to interpose ourselves between the king and them to make peace,

peace, but to side to one party was not well done. Ver. 18, 19. Furious and bloody men take all opportunities to hurt others, especially good men; and so deceiveth these employed: But they do it under a pretence, as a scorner reproacheth under a pretence of sport; so they, under other pretences, of wrongs done, of the country's defence, &c. Ver. 20, 24. shews the way to prevent trouble and keep peace. As a contentious turbulent person would enflame a whole country and put them by the ears; so a person, though not contentious in his own nature, yet having many contentious interests following him, which he will not quit or commit to God's providence, as our king was. O it is the destruction of a nation to have such a person among them: He hath broken the peace of two kingdoms. Ver. 23, 24, 25, 26. Burning lips, hot and great words of love and friendship, and a wicked heart, revenging its enmity, and minding nothing less than what is spoken, is like a potsherd, a drossy piece covered over with the fairing of hypocrisy; or like a sepulchre garnished and painted, he dissembles and speaks vanity, and flatters, Psal. xii. 3. But he lays up his wicked purposes close within him till a time of venting them: Therefore when he speaks so fair and courteously, be not confident of him, trust him not too far till thou hast proof of his reality. Put not thyself and thy dearest interests into his mercy. This is wisdom and not want of charity, Jer. xii. 6. Micah vii. 5. Cain, Joab, and Judas are proofs of this. It may be covered a time, but not long. *Naturam expellas furca licet usque recurrat.* All the world shall be witness of it, Psal. cxxv. So then, ver. 21. the calumniator and false accuser, who openly professes his hatred and malice, and the flatterer that seems to be moved with love, both of them produce one effect, viz. Ruin and calamity.

Chap. xxvii. 3, 4. *A stone is heavy and the sand weighty: but a fool's wrath is heavier than them both, &c.* We see what we may expect of the enraged, exasperated malignant party, their wrath against all the godly, for their faithful secluding and purging them out of places of trust, is weighty and insupportable like the sand of the sea; it will crush them under it if God support not. It is like a swelling river or a high spring-tide, it goes over all banks, since the state and church have drawn the sluice and let it out. But when it is joined with envy and malice, against godliness and piety itself, who can stand before that? No means can quench that heat.

heat. Ver. 6. Faithful mens reproofs, remonstrances and warnings, applied in love and compassion, are better than an enemy's kisses and flatteries, than his oils and ointments are: Therefore we would pray against the one, and for the other; that God would smite us with the mouth of the righteous, but keep us from the dainties of the wicked Joabs, Judases, and Achitophels. Ver. 8. speaks sadly against ministers that withdraw from their charges so unnecessarily, as a bird that wandereth too long from her nest, the young starve for cold or famine, or are made a prey; so these, who having no necessary call to be elsewhere, especially not being members of the commission, yet stay not with their flocks, are guilty of their souls ruin. Ver. 10. O how doth this speak against the present course of judicatories, they have forsaken their old faithful friends, when they proved ever constant, and have gone in to their wicked countrymens house in the day of their calamity. But a neighbour in affection and piety, is nearer than a brother in flesh and near in habitation.

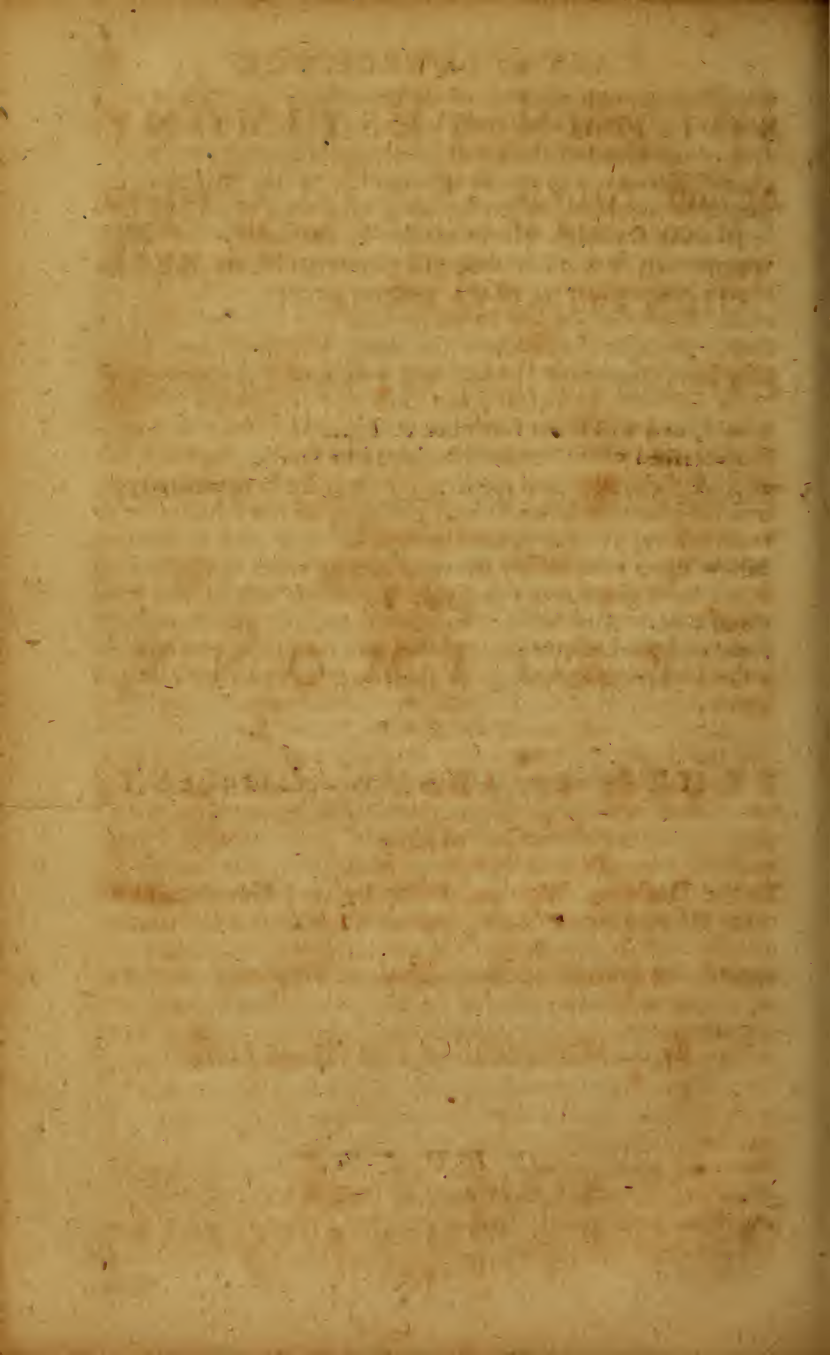
Chap. xxviii. 1. *The wicked flee when no man pursueth: but the righteous is bold as a lion.* Wicked men are now chosen for stoutness and courage, but they have no sure foundation for it. 'Tis but like the rage and temerity of a madman or drunkard: But godly men, once satisfied in grounds of conscience about their duty, would have been bold as lions. A good conscience would have made them bold, Psal. cxii. 7, 8. Lev. xxvi. 36. Now, ver. 2. behold the punishment of our sins, our governors are changed; there is almost a total alteration, and we are faces about, which cannot but bring ruin to the land, especially when men of understanding and piety are shut out. Ver. 4. with chap. xxix. 27. It is a great point and argument of declining and forsaking the law of God, when men praise the wicked, change their names though they themselves be not changed, and leave off contending with or declaring against them, and do rather plead for them. But godly men, that keep the law, contend with, discountenance and oppose them; as David, I hate them that hate thee, and earnestly contend with them: Thus they are kept from partaking with other mens sins. Ver. 5. It is not very likely, that all the ungodly should now understand the duty of the times and discern the right way, and that so many that fear God understand it not, seeing the Lord's secret is revealed to them, Psal. xxv. 14. Ver. 6, 7. A poor man, and weak means, if they be of upright men, are better and stronger than

than many rich and strong perverters. A companion of evil men and a keeper of the law agree not in one person; the one is an honour, the other a shame to all that have interest in them. Ver. 9. Their prayers and professions are abomination; no acceptance of those who turn away their ears from obedience to the law, who walk contrary to it. Ver. 10. These cunning and crafty men that have enticed some godly men, and led them on in the present course, shall themselves smart for it, when the godly seduced shall see good things after all this. Ver. 12. When wicked men have power and trust, good men hide and retire themselves from such a congregation or assembly of the wicked. See chap. x. 10, 11. Should we thus choose our own plague, tyranny, oppression, calamity, and misery, and cast away our own glory? Then, ver. 13. repentance requires true and ingenuous confession, and real forsaking; if both these join not, it is but a covering and hiding of sin. If a man confess, and yet walk and continue in them, he is but using his confession as a covering to retain his sins; and such shall not find mercy of God, or prosper before men. Ver. 14. It is not so despicable a thing to fear alway, and to be very jealous of sin as it is now made. It is counted a reproach to have any scruples at the present course: But happy is he that abstaineth from all appearance of evil; but he that emboldeneth himself, and will not question any thing that makes for advantage, falls into mischief. Ver. 15, 17. shews the lamentable condition of a people under wicked rulers, they are beasts and not men towards the people, especially towards the best, Dan. vii. 4, 5. Zeph. iii. 3. Ver. 17. How doth that agree with our sparing of bloody men, of our soliciting for their impunity, of our pardoning them? Are they not, by the appointment of God's law, ordained for destruction, and haste to it? Should any then stay them? should they not then far less employ them? And, ver. 24. if it be so hainous to take our father's goods upon this pretence, because they are our own, how much more sacrilege is it to rob God of his interests, and give over his money to bankrupts, and say it is no transgression to rob the land of its defence, and make them naked, as Ahaz his confederacy did? Certainly it is murder. Ver. 28. and chap. xxix. 2. and xi. 12. and xxviii. 28. are to one purpose: We have forsaken our own mercy and wronged our own souls; and destroyed ourselves in choosing our own judgment, and making our own rod to beat us withal. Chap. xxix. 1. We being

so often reprov'd by his word and providence for the sin of association with the wicked, and being so lately punished for it; and having so lately reprov'd ourselves for it in our declarations and fasts, yet to harden our necks, what can we expect but utter destruction, and that without remedy, as we sentenced ourselves? Ezra ix. 13. and xiv. 13. Isa. xxx. 13, 14. Shall not this iniquity be to us a breach ready to fall, even this iniquity of going down to Egypt for help, &c. Then, ver. 6. there is a snare to entrap thy feet in the sins of the wicked; if thou be joined with them thou cannot well escape. ver. 8. Wicked profane contemners of God and his people bring ruin on a city or commonalty, they set it on fire and blow it up: But godly men pacify wrath, turn away judgments, and purge all from provocations, which is the only means to turn it away. Ver. 16. shews, when wicked men gather together, and grow in state and power, they grow worse, and sin with greater boldness, and transgression then overflows the land *tanquam ruptis repagulis*. There is no obstacle. See Psal. xii. And ver. 24. shews, he that is partner and fellow-receiver with a thief, or conceals such offenders, endangers his own destruction: and he that stays with and associates with wicked men, must hear cursing and cannot bewray it; he will see many abominations, that though he would he cannot remedy. Ver. 25. Fear of man and of the land's danger, hath brought many into a snare, to run from the Lord to an arm of flesh: but he that trusts in the Lord shall be safe. Ver. 27. Here is the deadly enmity between the two seeds, they cannot reconcile well. See ver. 10. and chap. xxi. 3. It is no wonder the godly abominate such men who are God's enemies and the land's plague.

Chap. xxx. 11, 14. describes the malignant party, who make nothing of the godly magistrates or their mother church and land, but curse, malign, oppose as much as they could, and are oppressors, monstrous tyrants, mankind beasts, or beastly men; the subject of their cruelty is the godly afflicted man; they eat up all and will not leave the bones. As the prophet complains, I lie among men whose teeth are as spears and arrows, and their tongue as a sharp sword. And then, ver. 12, 13, 20. describes our enemies, the invaders. They think themselves godly and righteous, yet are not purged from their filthiness. They are given up to strong delusions to believe lies; and there is no lie greater than this, that they are a godly party in a godly cause and way. They
wipe

wipe their mouth after all their bloodshed, and say, *I have done no evil*: They wash their hands, as Pilate, as if they were free of the blood of these just men, whose souls cry under the altar. Ver. 21, 22, 23. It is a burden to the world and a plague to mankind, when servants, unworthy men, and persons unfit for high places are set in authority, and when wicked men have their desire of plenty and honour, (chap. xix 10.) and when an odious woman, or men of hateful vicious dispositions come to preferment and are espoused by a state. Nought they were while alone, but worse now when they have crept into the bed and bosom of the state. Her roots are nought before; but now she is planted in rank mould, and will shoot forth her unfavoury branches and blossoms. And when handmaids, kept in a servile estate because of their disposition and quality, get their masters ushered out, and they become heirs, at least possessors of the inheritance or trust. Ver. 33. shews how necessarily war and contention follow upon unnecessary provocations by word or deed, such as we have given many to England, though indeed they have given more. And lastly, chap. xxxi. 20, 26, 31. shews how word and work should go together, and men should be esteemed and praised according to their works and fruit of their hands.



A

SOLEMN TESTIMONY

Against TOLERATION, and the present proceedings of Sectaries and their Abettors, in ENGLAND, in reference to RELIGION and GOVERNMENT.

By the COMMISSIONERS of the GENERAL ASSEMBLY
of the Kirk of SCOTLAND.

16 Jan'y 1649 -

With the Answer, of Parliament, to the said TESTIMONY.

ALSO A

TESTIMONY

TO THE

TRUTH OF JESUS CHRIST;

OR,

To the Doctrine, Worship, Discipline and Government of
the Kirk of SCOTLAND; and to the National Covenants,

Against the prevailing Errors, Heresies, Blasphemies, &c. &c.

By the MINISTERS of PERTH and FIFE.

29 Novem 1659 -

KILMARNOCK:

PRINTED BY J. WILSON, BOOKSELLER.

M. DCC. LXXXIII.

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EDINBURGH 16. Jan. 1649. *Postmeridiem.*

A necessary and seasonable Testimony against Toleration, and the present proceedings of Sectaries and their abettors in England, in reference to religion and government; with an admonition and exhortation unto their brethren there, from the Commissioners of the General Assembly of the kirk of Scotland.

ALBEIT the work of reformation in these kingdoms hath ingraven upon it so many, and so lively characters of the truth, and power, and wisdom of Jesus Christ, as gives unto us sufficient grounds of hope that he will bring forth the head-stone of his house with shoutings, unto the shame of his adversaries and refreshing of his people; yet the sense which we have of our duty, in regard of our station and trust, the danger that threatens religion and government, together with the desire which we have to restore those that are fallen, to strengthen the weak, and to comfort the afflicted in England, calls upon us to give public testimony against the present proceedings of sectaries and their abettors in that land, and to speak a word of admonition and exhortation to our brethren there.

It hath been unto us, and we make no doubt unto the protestant churches abroad, matter of much sorrow and grief of heart, that after so many sufferings from, and wrestling with the popish, prelatical and malignant party; and after that they are brought down by the mighty hand, and stretched-out arm of the Lord, there should arise in their stead another to oppose his work in these kingdoms: And it adds unto our affliction that they be such as profess for Jesus Christ, and pretend unto holiness, and seemed once to build with ourselves, whilst now their way is become grievous, and goes down unto the gates of death, as tending to overturn religion, destroy the league and covenant, and to raze the foundations of government.

It shall not now be needful to fall upon an enumeration of all these errors which have sprung up in England of late: A few years past have brought forth more and more dangerous opinions in that one kingdom, than many preceding generations in all the churches of Christ, so evil and bitter a thing it is to leave every man to his own fancy, and the vineyard of

of the Lord without a hedge. The late general assemblies of the kirk of Scotland and their commissioners, have borne testimony against independency, erastianism, anabaptism, antinomianism, arminianism, socinianism, familism, scepticism, &c. And the ministers of the province of London, and many others have more particularly reckoned and condemned the errors which men of corrupt minds there have run into. We bless the Lord for every faithful witness and desire to put to our seal that his testimony is true; but of all things it most afflicts our spirits, and we cannot but look upon it with horror and amazement, that in a land covenanted with God, after Satan hath been so cunning as to sow the seed of so many heresies and errors, he should now prevail so far upon the spirits of men, as to make them instrumental to plead for a toleration unto all errors, and to endeavour that this monstrous iniquity may be established by a law, and that of so large extent, as carries no exception, but expresses popery and compulsion. The first whereof leaves latitude enough to take in any papists whatsoever, if he can but a little dissemble the grossness of his way, and the latter doth not obscurely point at those, who plead for the government of Jesus Christ by presbyteries, and hold that all men are to walk according to the rule of the word of God: Is this all the favour and approbation, that such may expect to be ranked amongst the worst of papists? There are many devices in the heart of man; but the counsel of the Lord shall stand; and he will give unto his people a nail in his holy place.

We have searched after the mind of Christ, and have traced the footsteps of the prophets and apostles, in the Old and New Testament: and no where can we find in the scriptures of truth, either precept or precedent allowed of God for toleration of any error, much less did it ever come into his mind, or did he speak to any of his servants concerning a toleration of all error. As that infinitely glorious divine Essence is one in himself most holy, most righteous, most true, so hath he given unto the children of men, one eternal, unchangeable law, according to the rule whereof they are to square their profession, and order their conversation: Therefore as his justice requires in the covenant of works that we should walk according thereto without declining to the right hand or the left, so he in his mercy promises in the covenant of grace to give unto his people one heart and one way to fear him for ever: And in both covenants they are obliged
to

to walk after the rule of this law. It is acknowledged by many of those with whom we have now to do, that no liberty is to be allowed unto men in the breaches of the duties of the second table, which we owe unto our neighbours, but that if a man sin against his neighbour, and disturb the peace of the common-wealth, he is to be restrained and punished: Can there any solid reason be given why it should not also be thus in regard of the duties of the first table which we owe unto God? Is not one Lord author of both? hath not conscience influence upon both? Is not the Lord's glory interested in the one as well as in the other? Doth not his image shine as brightly, and may it not be as much defaced in the one as in the other? Are the things of God less precious than the things of men, and that which concerns the soul less to be cared for than that which concerns the body? or are we more to value our own damage than the Lord's dishonour? We know that no man hath dominion over the conscience: But the Lord who made it, exerciseth his sovereignty therein; and he hath set a law unto the spirits of men, after the rule whereof they are to order both their judgments and affections; and hath given power to those whom he clothes with authority, which they are to exercise in these things so far as they are manifested in expressions and actions unto the dishonour of his name, and hurt and prejudice of others: All those who have their senses in any measure exercised in the word of God will acknowledge that it is repugnant thereto; that any who are clothed with power æconomic, ecclesiastic or politic, should connive at any error in any of these that are subject to their jurisdiction, or allow it liberty by a law. Abraham did command his children and his household to keep the way of the Lord, and to do justice and judgment, Gen. xviii. 19. Jacob took order for purging of his household and all that were with him, from all the idols and strange gods that were amongst them, Gen. xxxv. 2. David will have none of those who tell lies, but such as walk in a perfect way, to be in his house, Psal. ci. And the apostle Paul will have all pastors and deacons to rule their houses well, and to keep them in subjection, 1 Tim. iii. Neither is there less required of those who bear charge in the house of God. It was a special part of the office of Aaron and his sons to separate betwixt the precious and the vile: Jehoiada set porters at the gates of the house of the Lord, that none which was unclean in any thing should enter therein, 2 Chron. xxiii. 19.

The apostle Paul would not give place unto those by subjection who came in privily to spy out the kirk's liberty for the space of an hour, Gal. ii. 5. and he will have an heretic after the first and second admonition to be rejected, Tit. iii. 10. And are not some of the churches of Asia commended for their diligence, and others of them reprov'd for their negligence herein, Rev. ii. 2, 6, 14, 15, 20. And though the power of the magistrate be herein most questioned by the patrons of toleration, yet is the scripture very clear and plentiful both in precepts and precedents, in promises, rewards, in threatenings and judgments, in encouragements and reproofs, that it is the office and duty of the magistrate not only to suppress and punish iniquity and unrighteousness, but also ungodliness and error, and that he beareth his sword in relation to both. As the Lord by his servant Moses, in the xviith of Deuteronomy, requires of him that shall reign over his people, that he have a copy of the law of the Lord by him, and that he read therein all the days of his life, that he may learn to fear the Lord his God, and to keep all the words of that law; so in the xiiiith of that book he gives a command to put to death the false prophet, and the brother that speaks to his people to turn them away from the Lord their God; and the reasons taken from the nature of the duty, whereby he persuades unto the obedience thereof, are perpetual and no less binding unto us now, than to them of old. How strongly doth the Lord plead, in the xxiid of Deuteronomy, against toleration and false worship, and all the occasions thereof, and provocations and incitements thereto? and how severe is he about the removing and destroying all these, and in tying all his people to one way according to the rule of his word? and what peremptory commands are there given unto them concerning both? Was not the blasphemer stoned unto death, Lev. xxiv. 10. It was the great care and singular commendation of Joshua, Samuel, David, Asa, Jehoshaphat, Hezekiah, Josiah, Ezra, Nehemiah, Zorobabel, and of such as judged or reigned well in Israel or Judah, that they preserved religion and reformation in integrity, restored it when it was fallen and corrupted, by destroying idolatry, and establishing the pure ordinances of God. Asa made a covenant, and commanded Judah to seek the Lord God of their fathers, 2 Chron. xiv. Jehoshaphat went out throughout the people, from Beersheba to mount Ephraim, and brought them back unto the Lord God of their fathers, 2 Chron.

Chron. xix. Josiah made a covenant, and caused all the people to stand to it, 2 Chron. xxxiv. 32. And the children of Judah, after their return from Babylon, made a covenant, and entered into a curse, and into an oath to walk in God's law, and to observe and do all the commandments of the Lord their God, Neh. ix. 38. x. 29. It is left as a note of perpetual infamy upon Jeroboam, that he caused Israel to sin by erecting the calves at Dan and Bethel, and suffering the people to go a whoring after the same, and as it was the cause of the destruction of his house, so at last of the extermination of Israel; and it is several times observed by the Holy Ghost as a fault in several of the kings of Judah that the high places were not taken away, and Judah itself was also many times sore plagued of God, and at last carried into captivity because of their tolerating of error and idolatry; and whoso well ponders the story of Josephus the Jewish writer, will find that both in divine and politic considerations, the toleration of divers sects amongst them was the main cause of their ruin.

Some say, that the coercive power of the magistrate had place in the Old Testament, because of an infallible judgment of direction that was always present with them, in the Urim and Thummim, for applying of the law to those who were guilty; but besides, that this overthroweth all ecclesiastic as well as civil censures under the New Testament, as supposing the necessity of an infallible direction to the right proceeding unto a sentence against a blasphemer or heretic, what needed then any judicial process or the testimony of witnesses against such? This argues that the procedure was to be in an ordinary way, according to a known standing law, as in cases of the second table: And it hath as little strength that the magistrate then did these things, not as a magistrate, but as a type of Jesus Christ, seeing the kings of the heathen, such as Artaxerxes, Nebuchadnezzar and Darius, made decrees hereabouts, whose practice is commended by the Spirit of God: And some, knowing no other shift, would have the Old Testament laid aside in all the question, and have proofs only from the New; but did not the prophets of old foretel that there should be such a thing under the New Testament? Zachariah, in his xiiith telleth, that in the day that the fountain shall be opened in the house of David for sin and for uncleanness, the prophet that speaks lies in the name of the Lord shall not live, but be thrust through; and as Jesus Christ commands us to beware of false prophets, Matth. vii. 15. and the

apostle Paul to mark them who cause divisions, Rom. xvi. 17. and wishes that those who trouble the churches of Galatia were cut off, Gal. v. 12. So the same apostle, Rom. xii. tells us, that the magistrate is the minister of God, a revenger to execute wrath on those that do evil; neither is this wrath confined to the deeds of unrighteousness, and these things only that are prejudicial unto men, and troubles the peace of the common-wealth, but is also to be extended to these things that are dishonourable to God and the peace of the church; for it cannot be shown that any part of that power which magistrates had under the Old Testament is repealed under the new, neither can any convincing reason be brought, why it should be of narrower extent now nor then. Are not blasphemies, heresies and errors dishonourable to God, and destructive unto souls as well now as of old? and are not men as prone to run into these things? and have they not need of as many remedies and restraints now as of old? Nay, are not these evil works, as well as the works of injustice and unrighteousness? They are high transgressions against the first and great commandment of the law, and Moses, speaking of the punishing of them, calls them the evil which we are to put away from amongst us, Deut. xiii. 5. And the apostle Paul desires us to beware of men that are polluted therewith as evil workers, Phil. iii. 2. and the same apostle calls them evil men and seducers, 2 Tim. iii. 13. And the apostle John calls their works evil deeds, 2 John x. Therefore if liberty be granted in these, we know no cause why men that can in a handsome way pretend conscience for it, should be denied liberty to run into excess and riot, and to commit all sort of uncleanness and practise all wickedness with greediness? which makes us the less to wonder, that it is propounded that nothing may be punished with death but murder. Thus far do the principles of libertines lead them, that the most monstrous and unnatural abominations that can be are not to be punished with death: neither belike should murder be excepted, if the carnal desire of the preservation of natural life did not lead them to it. We know not with what words of wonder and astonishment to express ourselves upon these things. Pass over to the isles of Chittim, and see and send unto Kedar, and consider diligently, and see if such a thing hath been heard of of old, or of late amongst the most brutish and barbarous nations? Such a cursed toleration as this will not only make every thing in religion appear to be

uncertain,

uncertain, rend the churches and disturb the state, and trample all ordinances, order and government under foot, and bring forth many blasphemies and abominations, but is like to banish religion and righteousness quite out of the land, and at last make a hell upon earth.

And the thing in itself is not more strange unto us, than that these who have lifted up their hands unto heaven, and sworn before God, angels and men to extirpate popery, heresy, error, schism, superstition, idolatry and profaneness, and whatsoever is contrary to sound doctrine and the power of godliness, and who do so much pretend unto holiness, and have been made partakers of so many mercies and deliverances, should have so far forgotten the oath and covenant of God, as to plead for, and proclaim a liberty unto all these things. The solemn league and covenant was in the beginning, amongst all the means that could be thought of, looked upon and entertained as the strongest bulwark of religion, and surest foundation of a lasting union and peace betwixt the kingdoms, and the best way for bringing down the enemies of both, and being confirmed by the oath of God, cannot be repealed nor altered by any power or authority on earth, but obliges both kingdoms unto all the duties contained therein, which makes us to wonder that men should be so unhappily bold as to sport with the oath of God, and mock the Almighty, who is a severe avenger of all such things. And albeit we have no cause to repent of covenanting with England, as having done a necessary duty, and laid the foundation of a glorious work, which we trust shall be perfected maugre all the opposition of men, and that we resolve to adhere to that solemn league and covenant as long as we live; yet have we reason to complain of the exceeding great levity and inconsistency of some of those with whom we had to do, because of the sad reproach that is thereby brought upon the cause of God, and the great prejudice that doth thereby redound to the kingdom of his son Jesus Christ.

Neither is it the least part of our grief, that as a throne is set up for Satan, and the house of God laid waste, so the civil government is exceedingly shaken, if not quite subverted and overthrown. We plead not for tyranny, or arbitrary power either in kings or parliaments, neither are we to own or justify any man in his sin; but we may remember what adversaries have many times cast upon both kingdoms, and what both have oftener than once printed and published to the

the world for their vindication in this; and if after so many public professions and solemn attestations to the contrary, the foundations shall be razed, monarchy be destroyed, and parliaments subverted by an imaginary and pretended agreement of the people, as it would destroy the league and covenant, and cause the adversary to blaspheme and insult, so it cannot but be the cause of many miseries and calamities unto these kingdoms. If power be originally in the people, and all of them do equally share in the privilege of liberty and freedom, how comes it to pass that a few take upon them to impose this agreement upon others, and that it is desired that the opposers may be punished with death? Let it be yielded that some at first may condescend upon the model without the knowledge of the whole body, yet when it is offered unto them, what if the one half, or the greater part, shall refuse to consent or submit thereto, shall they be compelled by others to do it, and destroyed if they will not obey? Is not this to take power over these that have equal power with themselves, and to encroach upon the freedom of these who are as free as themselves? If it be said, that they do but impose in things necessary, that concern common equity and freedom, we demand who are judges of these things? Have not these who refuse as much power and freedom to judge, as those who would impose it upon them? and if they judge it to be contrary to their freedom, who can controul them herein, without encroaching thereupon, and offering violence to their consciences who may conceive such a way neither to suit with religion nor righteousness? And to speak nothing of the troubles that are like to arise otherwise, may not this open again the issues of blood, and embroil the land in a new war betwixt these who shall refuse, and these who shall impose such a model, wherein men may unhappily lose both themselves and their liberty, whilst they seek to be too much free? Were it not better to preserve monarchy and the privileges of parliament, walking in the middle betwixt tyranny and anarchy, betwixt arbitrary government and confusion.

We know that such a way is looked upon by some as the best foundation of safety, but we know nothing more like to bring ruin and destruction: And therefore pitying these who are gone out of the way, we do, from the compassion which we have to their souls, earnestly, and in the name of the Lord, beseech all these in England who plead for toleration, the laying aside of the covenant and change of the civil government,

vernment, to consider these things impartially. 1. What fair professions and promises were made unto this kingdom, to persuade them to join in covenant with England, and how often before and since that time these things have been renewed by letters, declarations and remonstrances unto these in this land, petitions to the king, ordinances of the houses, and letters to the kirks abroad; all this is still upon record, and will bear witness before the Lord, and unto the following generations, against the levity, perverseness and perjury of those who have sworn the league and covenant, and gad so much about to change their way. 2. That the league and covenant was the first foundation of their victories and success, and of the ruin of the malignant party in England. We need not put them in mind at what low ebb the parliament's forces were at the contriving thereof, and how soon the Lord gave testimony from heaven, by victory over the enemy, of his approbation of the same, and how from that day forward they prospered, and the enemy fell before them still. 3. That the Lord hath always been a severe avenger of the breaches of oaths and covenants personal, and which concerns the things of men; much more national, and which concerns the things of God. 4. That never any perverted the truth, and corrupted the worship of God and prospered. 5. What shall be the advantage, nay how great shall be the loss of all the expence of blood and of pains that these kingdoms have been at, if for all this, we shall reap nothing but toleration and confusion? have we laboured in the fire to remove one corrupt religion, and to bring in many in its stead; to put down tyranny and set up anarchy? 6. Whether this be such a testimony of gratitude, as the Lord calls for at their hands in lieu of all his mercies, and giving unto them victory over all their enemies. 7. Whether such things beseems those who would be called saints, and pretend to be for the Lord, and use his name in all their professions and undertakings? 8. Whether such proceedings do not bring a sad reproach and heavy imputation upon the work of God in these kingdoms? In nothing do the popish, prelatical and malignant party more insult; and is it a light matter to cause the enemy to blaspheme? 9. How sore the weak are stumbled, and the hearts of the godly throughout all the protestant churches wounded. We have suffered many things, but nothing so heavy to our spirits as this. 10. If such a way be not contrary to the whole strain of God's word, and to the practice

practice of all the saints since the beginning of the world unto this day? 11. What shall be the end of these things, and the many sad and doleful consequents that shall follow thereupon? If from these and the like considerations any be moved to take warning to desist from the evil of their way, we shall therein rejoice and glorify God in their behalf: But if they shall refuse to hearken, we have discharged our consciences; and, in the name of the kirk of Scotland, whose servants we are, we do dissent from, and protest against such proceedings, as destructive to religion, the solemn league and covenant, the work of uniformity, and the civil government; and shall wait for the salvation of the Lord.

In the next place, albeit we do not desire to add sorrow unto any man's affliction, but rather, if any suffer for righteousness sake, to comfort him; yet we were not faithful if we did not put our brethren in England in mind of their slothfulness and negligence in the Lord's work, that in this day of their trouble they may be humbled because of their want of zeal for God and his cause. The Lord put into the hands of the parliament of England many precious opportunities and fair occasions to have extirpated popery, error, heresy, schism and profaneness, and to have established reformation, and the government of the house of God; many petitions and supplications from many in England, and declarations and remonstrances and letters from the parliament and general assembly and their commissioners in this land, were tendered unto them concerning this thing; yet notwithstanding of all these, did they still suffer the house of God to lie waste, and the evil to grow which had been easily resisted in the beginning, but now is gone over the face of the land like a flood, and hath troden under foot their own power and authority. It hath been the Lord's way in carrying on of his work, to stain the pride of all glory, and to break and put down all those powers that have not exalted him and promoted the kingdom of his Son. And though we do not justify these insolent attempts upon the houses, yet we cannot but desire the members to behold the hand of the Most High, and to read their sin engraven in their judgment. It is a righteous thing with the Lord to abase all those that will not honour him. The Lord certainly hath a great controversy against them for encroaching upon the royal sceptre of Jesus Christ, and denying unto him any external government over his house, but such as is dependent upon them, by assuming

suming unto themselves the ultimate decision of all ecclesiastic causes and kirk censures : And doubtless the Lord is also highly displeased with their proceedings in the treaty at Newport in reference to religion and covenant, concerning which, they accepted of such concessions from his majesty as were dangerous and destructive unto both. We wish that they may now at last see their negligence and presumption in these things, and be men of wisdom to hear the voice of the rod, and who hath appointed it, if their soul be humbled for their sin, and if they shall take upon them the vows of God for giving unto Jesus Christ his due, and doing whatsoever is commanded by the God of heaven for the house of the God of heaven, who knows but the Lord may take away their reproach, and restore them to their dignity and power.

And though we doubt not but many in England have these years past mourned for the desolations of the house of God, and for the rise and growth of so many errors in that land, and have poured forth their supplications before the Lord for a remedy of these things ; and that we are not ignorant what a considerable number of ministers have done in their sermons, and printed books, and testimonies, yet we shall desire all that love truth and holiness in that land, to consider whether they have so timeously, and with that courage and zeal that was convenient appeared for the Lord, and acquit themselves in their duty in reference to religion and the solemn league and covenant, and if any find themselves faulty, to mourn for it, and to pray for mercy, and more of the Spirit of Christ, that they may hereafter be more faithful, and do their duty boldly and without fear ? As many in England mourned with us in the day of our distress before the Lord in our behalf, so we and all the godly in this land, pour forth our supplications to God in private and in public for them : And albeit we will not take upon us to prescribe, yet as the servants of the living God, who have obtained mercy in some measure to be faithful, and have found such a way to be profitable amongst ourselves, we exhort all our brethren in England to acknowledge their iniquities before the Lord, especially the breaches of that solemn league and covenant which was so publicly sworn, before God, angels and men, and to renew their oath and vows in his sight, which we doubt not, if gone about in sincerity, shall be attended with a blessing and success from heaven. It hath been the Lord's dispensation in these kingdoms, for the most part, to leave a branch of hope

in the one kingdom, when the other was like to perish, and to suffer enemies to grow to a great height of insolence and power, and then to bring them down : And therefore albeit the floods lift their voice and make a noise, yet we know no cause why the Lord's people should wax faint or cast away their confidence, the Lord on high is more mighty than the noise of many waters, yea, than the mighty waves of the sea ; his word is established in heaven, and his testimonies are very sure : And beside the many great and precious promises which he hath given unto us, and his goodness to his saints of old, he hath furnished his people in these lands with so many experiences of his mighty hand and stretched-out arm, working salvation and delivery for them, that it were a shame for any amongst them to wax faint, and not to believe. For yet a little while, he that shall come will come, and will not tarry. Now the just shall live by faith ; but if any man draw back, his soul shall have no pleasure in him.

A. K E R.

EDINBURGH, 18. Jan. 1649.

The Return of the Estates of Parliament upon the TESTIMONY, communicated unto them by the Commissioners of the General Assembly, and their concurrence with the same.

THE Estates of Parliament presently convened, taking to their most serious consideration *the seasonable testimony against toleration, and the present proceeding of sectaries and their abettors in England, in reference to religion and government, with an admonition and exhortation to their brethren there, from the Commissioners of the General Assembly of the church of Scotland* communicated unto them by you ; and pondering the present sad and strange condition of affairs in their neighbour kingdom of England represented therein, and in several other papers come to their knowledge ; they do return unto you their hearty thanks both for your good correspondence (which the parliament will with all cheerfulness entertain) and for your great care and faithfulness in giving such necessary and seasonable warnings and testimonies against

gainst the dangers of the times on all hands, at all occasions : And do heartily concur in the grounds thereof against toleration and the present proceedings of sectaries in England, in reference to religion and government, and in the admonitions and encouragements so fully exprest in the said paper : And do most willingly add this our testimony thereunto, that our brethren of England may be the more moved by the mouth of two witnesses, and especially such as together with them stand and fall, and are covenanted with them for mutual good, to lay those things to heart, and to abstain from all such sinful and dangerous courses ; and the faithful not to faint under these afflictions, or to omit any necessary testimonies or duty against the corruption of the time : And because there have been several aspersions published in printed pamphlets, for the strengthening of the hands of those who go on in these sinful ways, and for discouraging the hearts of these who are suffering under them ; therefore the Estates of Parliament, after diligent enquiry at all the members of this court, upon their public and solemn oath, both concerning themselves and others, Do declare, and can assure their brethren of England, that they cannot find that either this kingdom or any person thereof, had any knowledge of, or accession unto the late proceedings of the English army in relation to the king's person, or the houses and restrained members thereof, but are very confident there is no ground for such aspersions. On the other hand, so soon as this parliament was convened and constituted, and heard of the present posture of affairs, they being no ways satisfied with their proceedings, and the reasons thereof, published to the world ; and being convinced of the dangerous consequences thereof, and calamities likely to follow thereupon, they did give present instructions to their commissioners, upon many reasons founded on the obligations and declarations made between, and by both kingdoms (of which the matter of fact is fully exprest by the Paper given in by our commissioners on the 5th of January instant, to the Speaker of the House of Commons, in our name, and according to our mind, herewith communicated to you) to press a delay of all procedures against the king's person, the prince his right of succession, or the fundamental government of the kingdom, until this kingdom were heard to represent their interest and desires ; and, in case of their refusal, that they should enter, in the name of this kingdom, their dissent and protest, that as this nation

is free from all knowledge of, and accession to these designs and practices, so they may be free of all the calamities, miseries and confusions which may follow thereupon to these distracted kingdoms. And as our constant resolution and earnest desire to preserve inviolably the peace and union between the kingdoms, will evidently appear to any who will read (beside all our former actions and sufferings for it) our Act of Indiction of this present parliament, and our act repealing all past in the last parliament or committee of estates for the late unlawful engagement against England. And as ye are wineffes of our keeping a solemn day of humiliation, not only for our own sins and miseries, but also for the sins and distresses lying on our dear brethren, and for seeking the Lord's direction to us, that we may know and perform all the duties which the Lord requires of us at such a time, after such judgments and deliverances on his part, such an acknowledgement and renewed covenant on our part, not only in relation to our own affairs at home, but also to what may concern religion, king and kingdoms, according to the Solemn League and Covenant in these united nations; so we declare that it is our constant resolution, with God's assistance, to give all seasonable testimonies, and do all necessary duties within our power and calling, for the preservation of the begun reformation against toleration of all religion, and of the fundamental government against anarchy and confusion; and for continuing and preserving the peace and union between these kingdoms, and all the bands thereof, so often acknowledged and expressed in their treaties, especially *one king, one covenant, one religion*; and for the observance of the manifold declarations emitted between and by both kingdoms to the world, in the positive and necessary duties for pursuance of all the ends of the Solemn League and Covenant. And to this effect we are and shall be most ready to deal and interpose in all earnestness and sincerity of heart, and by all lawful and necessary means with all whom it may concern; for settling peace and truth in these kingdoms, upon the grounds and propositions so often agreed unto, and so long insisted upon by these two nations, and upon what further shall be found safe and necessary for the removing of these distempers, and preventing new issues of blood, calamities and confusions in these kingdoms, which the Searcher of hearts knoweth to be the earnest desire, and firm resolution of this court and kingdom.

L O W D O N, *Cancell.*

I. P. D. P.

The PAPER of the 5th of July, given in by the Commissioners for the kingdom of Scotland, to the Speaker of the House of Commons, mentioned in the aforesaid Return.

S I R,

THE Committee of Estates of the kingdom of Scotland, understanding that the honourable Houses of Parliament were proceeding in a treaty for peace with his majesty, did, about the beginning of the last month, authorize us to present propositions to his majesty; and particularly, to deal with him and the honourable Houses, for establishing the covenant and presbyterial government, the Confession of Faith, Directory for Worship, and Catechism, for preventing the toleration of idolatry, popery, prelacy, superstition, blasphemy, heresy and schism, and for perfecting the great work of reformation and uniformity according to the Covenant; the substance whereof hath been formerly communicated, in a letter from the committee of estates to both houses, and by one of our number, upon his reception at the committee of Derby-house, by order from the houses of parliament. But to our great grief, we do perceive, that the distractions of this kingdom are, beyond our expectation, grown exceeding high; that a force hath been placed on the passages to the houses, which, during transactions of highest concernment, hath imprisoned and secluded a great number of members of parliament, and given occasion to many others to withdraw, because they find they cannot act as in a free parliament; that applications are made to you, for proceeding against the king, to take away his life, and for changing the government of this kingdom; and strong endeavours are used to overturn the whole work of reformation, to cast off the ministry, and introduce a toleration of all religions and forms of worship, and so, in effect, to destroy the cause wherein both nations have been engaged, and frustrate all the ends of the solemn league and covenant, which both kingdoms have sworn, with uplifted hands to Almighty God, sincerely, really, and constantly to perform. The consideration of these things doth exceedingly trouble us, and fill our hearts with fears, that, as they are for the present, matter of great provocation of the wrath of God against us, dishonourable to his name, and a reproach to religion; so, if persisted in, that they shall greatly

ly weaken and divide us amongst ourselves, unite foreign enemies against us, advance the popish interest, lose Ireland, and in end, prove destructive to the reformed religion, and to the peace and happiness of these kingdoms.

In the year 1640, when these kingdoms were oppressed under the yoke and tyranny of the prelates, who then were far advanced in the design, to introduce popery, the kingdom of Scotland did join their endeavours with this kingdom, to procure a free parliament here, looking upon it, as a chief mean, by the blessing of God, to give a check to the designs of the prelates, who were studying the change of religion, and to the enterprizes of evil counsellors about the king, who were endeavouring to establish an arbitrary and tyrannical government; and afterward, when through power and prevalency of papists, prelates, and malignants, this kingdom was distressed, the kingdom of Scotland did enter into a solemn league and covenant with this nation, for reformation and defence of religion, the honour and happiness of the king, and the peace and safety of the three kingdoms; and particularly, for bringing the churches of God therein, to the nearest conjunction and uniformity in religion, Confession of Faith, Form of Church-government, Directory for Worship, and Catechising; for extirpation of popery, prelacy, superstition, heresy, schism, profaneness, and whatsoever shall be found contrary to sound doctrine; for mutual preservation of the rights and privileges of parliaments, and liberties of the kingdoms; for discovering of incendiaries, malignants and evil instruments, that hinder reformation of religion, divide the king from his people, or one of the kingdoms from another, or make any faction or party among the people, contrary to the league and covenant, that they might be brought to public trial and punishment; for preserving peace and union betwixt the kingdoms, and defending one another in this cause; for continuing therein all the days of our lives zealously and constantly, against all opposition; and for promoting the same, according to our power, against all lets and impediments whatsoever.

In pursuance of the solemn league and covenant, both houses of parliament have often declared, that they will establish the reformation of religion, extirpate popery and prelacy, and suppress heresy and schism; and that they will maintain the fundamental government of this kingdom by king, lords, and commons. And when the common enemy being

being subdued, the Scottish army was to go out of this kingdom, in the beginning of the year 1647, and his majesty, by consent of both kingdoms, was to come to Holdenby; the houses of parliament did declare, both to the king, and to the kingdom of Scotland, that respect should be had to the safety and preservation of his majesty's person, in the preservation and defence of the true religion, and liberties of the kingdoms, according to the Covenant; and when the king should be at Holdenby, and the Scottish forces gone out of this kingdom, that they would join with the kingdom of Scotland, in employing their best endeavours, to procure his majesty's assent to the propositions agreed on by both kingdoms; and in case the king should not give his assent thereto, that the houses were resolved still to maintain the happy union already settled between the two kingdoms, according to covenant and treaties. The parliament of Scotland did at the same time also publish a declaration of their intentions (whereof one copy was delivered to his majesty, and another to the houses of parliament) that in the interim (until his majesty should give satisfaction to both kingdoms in the propositions of peace) there should be no harm, prejudice, injury or violence done to his royal person; that there should be no change of government, other than had been for the three years preceding; and that his posterity should be no ways prejudiced in their lawful succession to the crown and government of these kingdoms.

These being the engagements of both kingdoms jointly together, and severally one to another, for the ends aforesaid; we hold it our duty to endeavour, that reformation of religion be settled and established as is before expressed; and especially, that the toleration of idolatry, popery, blasphemy, heresy and schism be prevented, lest we partake in other mens sins, and thereby be in danger to receive of their plagues: That the rights and privileges of parliament may be preserved; that there may be no change of the fundamental government; and, that there may be no harm, injury, or violence offered to his majesty's person, the very thought whereof, the kingdom of Scotland hath always abhorred, as may appear by all their proceedings and declarations: And the houses of parliament, have often upon several occasions, expressed a detestation thereof, in their declarations. Wherefore, we do expect, that there shall be no proceeding against his person, which cannot but continue and encrease the great distractions of these

these kingdoms, and involve us in many difficulties, miseries, and confusions: But that by the free councils of both houses of the parliament of England, and with the advice and consent of the parliament of Scotland (which is now sitting) such course may be taken, in relation to him, as may be for the good and happiness of these kingdoms, both having an unquestionable interest therein. We are

Your affectionate friends and servants,

Jan. 6th 1649.

subscribitur,

For the honourable William
Lenthall, esq; speaker of
the house of commons.

LOTHIAN,
JO. CHEISLY,
WILLIAM GLENDONING.

P R E F A C E
OF THE
T E S T I M O N Y
OF THE
MINISTERS OF PERTH AND FIFE.

THIS Testimony was intended long ago by the ministers of the gospel who are for the protestation in the synod of Perth, and being brought to some perfection about fifteen or sixteen months since by some of these brethren, and some other reverend and godly ministers in the synod of Fife: a copy thereof subscribed by their hands, was a little thereafter offered unto the late Lord Protector his council in Scotland, that being read by them, it might also have been transmitted to him and his council at London: The printing of it, though intended immediately thereafter, hath hitherto been retarded by several emergencies of providence. It is now put to the press, because, besides that written copies are oftentimes uncorrect, and by rescribing, come to be vitiated; and that so many as would either satisfy the true intent of the thing, or the minds of these who are desirous to peruse it, could not conveniently be gotten, the continuance and increase of many of the errors and evils that are witnessed against therein, with the desire of the reverend and worthy brethren, whose letter is hereunto subjoined, do plead for it: How it came at first not to be subscribed by these brethren, they themselves do, we trust, give a satisfying account thereof in their own letter, wherein they do also give their reason for joining in, and publishing of the same at this time. If there be some things in it that do not so quadrat with the present state of the time, by reason of the late changes, that is not material as to the true intent of the Testimony, which when it was first given, did witness against the evils therein mentioned, in the shape wherein it then found them, and it may well be admitted a witness against, as they now are, there being little or no material change appearing to the better. The Lord give a blessing to what is witnessed in simplicity of heart, and with a warrant from the word of truth.

Nov. 29th, 1659.

M

The

The TESTIMONY of the Ministers of the gospel undersubscribing, unto the doctrine, worship, discipline and government of the kirk of Scotland, and to the National Covenant of Scotland, and to the Solemn League and Covenant betwixt the three nations, of England, Scotland, and Ireland, and to the work of uniformity in religion, in one Confession of Faith, Form of Church Government, Directory of Worship, and Catechising; and against the errors, heresies, and blasphemies now on foot in these nations, that are contrary and destructive thereunto; especially against that vast toleration in things religious, lately framed into a law, and proclaimed throughout this nation.

Amos iii. 13, 14. Hear ye, and testify in the house of Jacob, saith the Lord God, the God of hosts, That in the day that I shall visit the transgressions of Israel upon him, I will also visit the altars of Bethel, and the horns of the altar shall be cut off, and fall to the ground.

Rev. xii. 11. And they overcame him by the blood of the Lamb, and by the word of their testimony.

PURE religion, which is revealed by the only begotten Son, who is in the bosom of the Father, and is contained in the scriptures of truth, being the way whereby the sons of men are taught to glorify the Lord their Maker, and to attain happiness and salvation unto themselves, is, of all enjoyments, the most excellent and necessary, the glory and crown, whether of nations, or of families, or of particular persons, and that which every one in his station is most bound to pursue and preserve, and plead for: Therefore have all these who have inclined their ear to wisdom, and applied their hearts unto understanding, sought it as silver, and searched for it as hid treasures, and have judged the merchandize thereof better than the merchandize of silver, and the gain thereof better than fine gold; and the Lord's worthies and witnesses have in every generation, according to their measure, appeared and put forth themselves in excellent wrestlings, by fervent supplications unto God, and serious endeavours with men, and faithful testimonies proclaimed upon the high places; and, when need was, confirmed with their blood for the attainment

ment and preservation, and vindication of the precious truths and ordinances of God. And seeing we are not only Christians by profession, born in a visible church, and in our baptism solemnly devoted and engaged unto the Lord, to be his, and to be for him and his interests upon the earth; and therefore by virtue of our general calling as Christians, bound by the holy commandment of the great and eternal God, in our stations, earnestly to contend for the faith once delivered to the saints, Jude 3. and to testify against the things that are destructive thereunto, Jer. x. 11. Amos iii. 13, 14. but also by our particular calling, ministers and watchmen in the house of God: And therefore upon that account, in a special way set for the defence of the gospel, Phil. 17. and bound to maintain and vindicate the glory of the Lord of hosts, 1 Kings xix. 14. and to confess Jesus Christ before men, Matth. x. 32. and to cry aloud and spare not, and to lift up our voices like a trumpet to shew his people their sins, and the house of Israel their transgressions, Isa. lviii. 1. and to speak unto them all that he commands us, as we would not be found rebellious unto God, and would not have him to consume us before men, Jer. i. 14. Ezek. ii. 8. And considering that we have been witnesses, not only to the many solemn public professions and engagements of others in the behalf of God, and of his truth, but that also we ourselves have once and again, (besides private and personal engagements) taken upon us that sacred and solemn tie of the public national covenant, and of the solemn league and covenant of the three nations; wherein, we all subscribe, and each one of us for himself, with our hands lifted up to the most high God, do swear, That we shall sincerely, really and constantly, through the grace of God, in our several places and callings, endeavour the preservation of the reformed religion in the kirk of Scotland, in doctrine, worship, discipline, and government, against our common enemies; the reformation of religion in the kingdoms of England and Ireland, in doctrine, worship, discipline, and government, according to the word of God, and the example of the best reformed churches; and shall endeavour to bring the churches of God in the three kingdoms, to the nearest conjunction and uniformity in religion, confession of faith, form of church government, directory for worship, and catechising, that we and our posterity after us, may, as brethren, live in faith and love, and the Lord may delight to dwell in the midst of us. 2. That we shall in like manner,

without respect of persons, endeavour the extirpation of popery, prelacy, superstition, heresy, schism, profaneness, and whatsoever shall be found contrary to sound doctrine and to the power of godliness, lest we partake in other mens sins, and thereby be in danger to receive of their plagues, and that the Lord may be one, and his name one in the three kingdoms: And that in maintaining and pursuing this common cause of religion, we shall not suffer ourselves, directly or indirectly, by whatsoever combination, persuasion, or terror, to be divided or withdrawn from this blessed union and conjunction, whether to make defection to the contrary part, or to give ourselves to a detestable indifferency or neutrality in this cause, but shall all the days of our lives, zealously and constantly continue therein against all opposition, and promote the same according to our power, against all lets and impediments whatsoever; and what we are not able of ourselves to suppress or overcome, we shall reveal and make known, that it may be timely prevented or removed, all which we shall do as in the sight of God. Therefore having seriously weighed the state of religion in this church at this time, and the manifold injuries that have been, and are daily offered and done to the truth of God, and precious ordinances of Jesus Christ, and to the national covenant, and solemn league and covenant of the three nations, and to the liberties and privileges of the church and government, and officers of the house of God, by which God is highly dishonoured and provoked, and the Lord's sanctuary profaned, and the throne of his glory defaced, and the kingdom of his Son undermined, and many souls involved in dreadful guiltiness and destroying snares, day by day, and more exposed to the hazard of many and strong temptations. We do, for the delivering our own souls from the guilt of these things, and acquitting ourselves in the duty we owe unto God and his church, in the present and following generations, especially to these of our flocks, with the charge of whose souls we are in a more peculiar way intrusted, and that we may, if the Lord so will convince these who are guilty, and persuade them to repentance, at least, that we may bear witness for the truth against the evil of their way, hold ourselves bound to bear testimony,

1. Unto the way wherein we worship the God of our fathers, we mean, the doctrine, worship, discipline, and government of the church of Scotland, believing the same to be that which is written in the law and the prophets, and in the testament

of Jesus Christ, and to the national covenant of Scotland, and the solemn league and covenant of Scotland, England, and Ireland, and to the work of uniformity in religion. And next, against all the injuries done unto, and encroachments, violations, and breaches made upon these; especially against that vast toleration in things religious, a mischief lately framed into a law in these nations, whereby the tie and obligation of these covenants is wholly cast loose, and turned into oblivion, and countenance, and protection, and encouragement is allowed, not only to many errors about the superstructures of religion, but even anent these things that destroyeth the foundations, and to give warning to the Lord's people, especially to these whose souls we are called to watch for, of some necessary duties incumbent upon them in this hour of temptation.

In the first place, therefore, we do with thankful hearts acknowledge, and joyful lips bear record unto the wonderful power and goodness of God, which according to the prophecies and promises revealed of old, *That he would give the heathen for an inheritance, and the outmost parts of the earth for a possession unto his anointed One, and that the isles should wait for his law*, was graciously pleased many hundred years ago, and a little after the rising of the Sun of Righteousness, to give light unto the Gentiles, to pity our forefathers then manacled unto the service of dumb idols, and worshippers of the host of heaven; yea, of devils and infernal spirits, and to visit them with the light of the glorious and blessed gospel, which having been first preached unto, and received by many private persons, was afterward, about the year 205, received by the king and many peers of the land; so that in a short time the whole nation became Christians, and was blessed and honoured of God for sundry generations, with many eminent professors and pastors, famous for learning and holiness, and piety, and for their pains and success in the work of the gospel, both at home and abroad, until at last, with the rest of most of the Christian churches in Europe, it was involved in the darkness of popish superstition and idolatry, to which it was in bondage for many years; yet so, that there was always a remnant through grace who did not receive the mark of the beast, but did overcome by the blood of the Lamb, and by the word of their testimony, and did not love their lives unto the death.

Next, we do with the same thankful mind acknowledge
and

and proclaim that marvellous work of power and mercy, whereby the Lord with a high hand and a mighty and outstretched arm, a little after the discovery of the mystery of iniquity, Babylon the Great, the mother of harlots, and abominations of the earth, by the ministry of his servant Luther, and other worthy instruments whom he raised up for that effect, was graciously pleased, in the days of our fathers, to ransom this land from the bondage of popish tyranny and superstition, and again to bless it with the light and liberty of the gospel, which though it was opposed by the prince of this world, the spirit that wrought strongly in the children of disobedience, and did animate both the civil and ecclesiastic powers of the time, to resist and oppose by fire and sword; yet such was the zeal of the Lord of hosts in performing it, and so strong was his hand upon a few polished shafts, chosen and furnished by himself, that in a few years, not only was the reformed protestant religion established by authority, and popery banished the land, but most of congregations were planted with the ministry of the gospel, and did yield subjection unto the ordinances of Jesus Christ, and the discipline and government of the church were established, according to the pattern shewed in the mount, in their beauty and strength, in the due subordination of congregational elderships and presbyteries and synods, exercising their respective powers unto edification, for bearing down the throne of iniquity, and advancing of the kingdom of the Lord Jesus Christ, in knowledge, and holiness, and righteousness, unto the terror of the wicked and profane, and comfort and encouragement of the godly. In the thankful acknowledgement of which rare and singular mercies, and for strengthening themselves against adversaries, both of church and state, the national covenant being first subscribed by the king and his household, in the year 1580, was thereafter subscribed by persons of all ranks, in the year 1581, by ordinance of the Lords of secret Council, and acts of the General Assembly, and again by all sorts of persons, in the year 1590, by a new ordinance of council at the desire of the General Assembly. This covenant relating unto the reformed religion then professed in Scotland, and more particularly expressed in the large Confession of Faith, established and publicly confirmed by sundry acts of parliament; as it was then entered into with much chearfulness and gladness of heart, the whole land rejoicing at the oath of God; so was it attended with many and choice blessings

sings from the Lord: Then was the church of Scotland for doctrine sound and lively; for worship, pure and spiritual; for discipline, powerful and impartial; and for government, and unity, and order, beautiful and comely, and well compact together, which as they were attended with rich breathings, and comfortable influences of the Lord's Spirit upon the souls of his people at home, so were they the matter of this church's commendation in the churches abroad, who because of these, gave her the testimony of one of the purest and brightest shining candlesticks amongst the churches of Christ: but it was not long ere this beauty was marred, and this glory eclipsed, whilst King James following too much the counsels of flesh and blood, and being upon the one hand wroth with the freedom and faithfulness of ministers, and upon the other hand, desirous to gratify the prelatical party in England, by reducing the kirk of Scotland, in its worship and government, unto a conformity with the church of England; did, with the unlucky help and mischievous industry of some ambitious and covetous men-pleasing church-men, in a few years, by politic devices, first overthrow the government of the church by presbyteries and synods, and obtrude instead thereof, a lordly government in the persons of thirteen prelates, and then corrupt the purity of worship, by thrusting upon the church the English popish ceremonies, and accordingly did his son and the prelates proceed to build, until at last the doctrine came to be mingled with Arminian and popish errors, and the worship to be turned over into the English service-book, and the discipline and government into a book of prelatical and popish canons; which course of defection having now continued and increased for the space of near forty years without interruption, and being backed with the authority both civil and ecclesiastic, had no doubt terminated and resolved in popery, if the Lord, when it was least expected by friends, and least feared by enemies, had not in a strange and wonderful way cut asunder the cords of these plowers, who plowed upon the back of his poor church, and revived his work and people.

And therefore we hold it our duty, in the third place, to make honourable mention of the work of the Lord which he hath done in our days, *to wit*, That in the year 1637, when the prelates were in the height of their power and pride, and had devised and procured that the service-book and the book of canons should be obtruded upon this church, and that there

was

was no probable means, and very few instruments by which these corruptions of the worship and government of the house of God should be resisted ; the civil authority being strongly engaged for carrying on thereof, and the greatest part of the ministry being carried away with the course of conformity, and couching with Issachar under the burden. It pleased God, first, to stir up the spirits of a few of his servants and people to witness against these things, and so to encourage and countenance them in their proceedings, that in the month of February, in the year 1638, they did, notwithstanding all the threats and opposition of adversaries, which were many and strong, again to revive and renew the national covenant, which now had been forgotten and buried in oblivion for the space of almost forty years ; and such the good hand of God upon his work and people, that within not many months thereafter, almost the whole land did subject themselves unto the oath of God ; which was attended with more than ordinary manifestations of his presence, and influences of his Spirit in the assemblies of his people, and was in effect to this church, which had in a great measure, and for a long time forsaken her first love, and declined from her primitive purity and integrity, as life from the dead : Neither did the Lord cease to repair the ruin, and build up the breach that had been formerly made upon her, until he had restored her unto her liberty and beauty, in presbyteries and synods, and general assemblies, constituted of ministers and elders, according to the rule of Christ, and exercising their power unto edification. The first of these assemblies, which toward the end of the year 1638, convened at Glasgow, the very place where the top-stone was put upon prelacy, in the year 1610, did revive and approve the registers of the former free and lawful general assemblies, since reformation from popery, in the year 1560 ; did condemn and annul six pretended and corrupt assemblies that had changed the government, and corrupted the worship ; did take away the unlawful oaths of intrants to the ministry, cast out the service-book, book of canons, book of ordination, and the high commission ; did depose and excommunicate the prelates, did declare prelacy to have been abjured by the Confession of Faith 1580, and to be removed out of this kirk, and Five Articles of Perth to have been abjured and removed by the same Confession, and did restore kirk-sessions, presbyteries, provincial and national assemblies unto their full integrity in their members, privileges, liberties,

ties, powers, and jurisdictions, as they are constituted by the book of policy, registrated in the books of the assembly 1580, and ordained to be subscribed 1590, 1591, and make sundry other laudable acts and constitutions, tending to the purging of the church, and advancement and settlement of the work of reformation. And though this assembly, and the determinations thereof, were afterwards much opposed by the popish, prelatical, and malignant party; yet did the Lord so countenance his servants and people in this land, and his work in their hands, that the reformation was fully established, and at last ratified and confirmed both by king and parliament, in the year 1641. Then was there a sweet combination of truth and peace in the land, and the Lord did in a good measure pour his Spirit from on high, by which the wilderness was turned into fruitful fields, and the fruitful field into a forest; in contemplation of which wonderful mercies and blessings of God, that they might testify their thankfulness for the same, and secure them so far as did lie in them unto their posterity, and lend a helping hand unto their brethren in England, who then were wrestling in the fire against the unjust violence and cruelty of the popish, prelatical, and malignant party; who by their evil counsels, had stirred up the king, first to forsake, and afterwards to make war against the parliament then looking at reformation: This church and nation did, in the year 1643, upon the parliament of England's calling for their help against the common enemy, propound unto them, that there might be a solemn covenant entered into by all the three nations, of Scotland, England, and Ireland, which being agreed upon, was accordingly prosecuted and carried on in all the three nations.

Therefore, as we do from our souls bless the Lord, who did put such a thing into the hearts of his people, to engage themselves in a covenant to his holy and blessed Majesty, and one to another in subordination to him, in order to these things that concern truth, and holiness, and righteousness; so we do hold ourselves bound to testify our cordial approbation of, and real adherence unto that memorable and never to be forgotten solemn league and covenant of England, Scotland, and Ireland; being persuaded in our minds, and convinced in our consciences, that it is a duty for people and nations, who profess the name of the Lord, to enter in covenant with him; this being indeed the first and great commandment of the law, that we should have no other gods be-

fore him, and that we should avouch the Lord to be our God, and to walk in his ways, and to keep his statutes, and his commandments, and his judgments, and to hearken to his voice, Exod. xx. 2, 3. Deut. xxvi. 16, 17, 18, 19. and that whereof we have many memorable and praise-worthy precedents in the book of God, especially when a people were called to repent and turn unto God after public backsliding and defection, or were seeking a right way for establishing of themselves in the midst of snares, or of engaging of the Lord to help them in straits, and strengthen them unto great and eminent undertakings, or to express their thankfulness for great and wonderful mercies and deliverances, Deut. xxix. 1, 2. 2 Chron. xv. 12, 13, 14, 15. and xxix. 10. and xxxiv. 31, 32. Neh. ix. 39. and x. 29, &c. And being no less persuaded in our minds, and convinced in our consciences, that our solemn league and covenant, in the year 1643, is for the matter just and warrantable, for the ends necessary and commendable, for the time seasonable, and for the parties honourable; the matter and ends are all these precious things that are involved in pure religion, true liberty, and a well grounded uniformity in the former, and union and peace in the latter; or (to speak it in the words of a reverend divine) this oath is such, and in the matter and consequence of it of such concernment, as we can truly say, it is worthy of us; yea, of all these kingdoms, yea, of all the kingdoms of the world; for it is swearing fealty and allegiance unto Christ the King of kings, and a giving up of all these kingdoms, which are his inheritance, to be subdued more to his throne, and ruled more by his sceptre, upon whose shoulders the government is laid, and in the exercise of whose government and peace there shall be no end. The parties are the true God, the living God, the everlasting King, glorious in holiness, fearful in praises, and doing wonders; and the three kingdoms of England, Scotland and Ireland; who though as all the nations, in comparison of him, are but as the drop of a bucket, and vanity, and less than vanity and nothing; yet such as through his grace were amongst the first fruits of the Gentiles, and are for the knowledge and acknowledgement of Jesus Christ, in name and fame, parallel unto if not beyond any kingdoms of the world. The season was the deplorable estate of the church and kingdom of Ireland; the distressed estate of the church and kingdom of England; and the dangerous estate of the church and kingdom of Scotland, that we may truly say,

(with

(with the reverend divine already mentioned) such an oath, for matter, persons and other circumstances, the like hath not been in any age or oath we read of in sacred or human stories, yet sufficiently warranted in both. This solemn league and covenant, as it was actually sworn, and taken by the whole body of Scotland, from the highest to the lowest, so also by the honourable houses of the parliament of England, the assembly of divines, the renowned city of London, and multitudes, not only of the people, but of persons of eminent rank and quality throughout that nation, and the nation of Ireland, and all this by the authority and persuasion of the powers civil and ecclesiastic; who can have forgotten how deliberately it was resolved? how unanimously it was concluded? how joyfully it was received and entertained? The respective authorities of church and state in Scotland, did all with one voice approve and embrace the same, as the most powerful mean, by the blessing of God, for settling and preserving the true protestant religion with perfect peace in these nations, and propagating the same to other nations; and after taking of the same themselves, did ordain it also to be with public humiliation, and all religious solemnities, received, sworn and subscribed by all ministers and professors within this kirk, and subjects within this kingdom; which was accordingly done by the whole body of the land, and in many persons and congregations attended with the feelings of that joy, and comfortable influences of the Spirit of God in the enlargements and meltings of hearts, which they did find in so great measure upon the renovation of the national covenant, in the year 1638. And this solemn oath of God being already taken by the honourable houses of the parliament of England, by the renowned city of London, and by the reverend assembly of divines, the lords and commons in parliament, upon the account of its being thought a fit and excellent means to acquire the favour of Almighty God towards the three kingdoms, of England, Scotland, and Ireland, and likewise to unite them, and by uniting, to strengthen and fortify them against the common enemy, and the true reformed religion, peace and prosperity of these kingdoms; did order and ordain, That the same covenant be solemnly taken throughout the kingdom of England, and dominion of Wales, and did condescend upon directions and instructions for the better and more orderly taking thereof by all the officers and soldiers, by the counties and committees, by the universities,

by the ministers and parishes then under the power of the parliament: And as by these instructions, the declaration of both kingdoms joined in the armies for the vindication and defence of their religion, liberties and laws, against the popish, prelatical and malignant party, (in which such as would not take the covenant, are declared to be public enemies to their religion and country, and that they are to be censured and punished as professed adversaries and malignants) was appointed to be publicly read: So for the better encouragement of all sorts of persons to take the covenant, it was in the same instructions recommended to the assembly of divines, to make a brief declaration by way of exhortation to all sorts of persons to take it, as that which they judged not only lawful, but (all things considered) exceeding expedient and necessary, and to be a singular pledge of God's gracious goodness to all the three kingdoms. In obedience to which, the assembly did frame an exhortation, wherein they do not only hold forth the lawfulness of the covenant, and take off such scruples and objections, as did then lie most in the way of the taking of it; but do also press it as the sovereign and only means to recover an embroiled and bleeding remnant. And upon these grounds, and according to these prescripts, was that solemn covenant taken by multitudes of persons of all sorts, many of which did rejoice at the oath of God, and did look upon it as a most promising branch of hope held forth by the Lord, for renewing and reviving the church of Christ in England, and Ireland, and preserving the church of Scotland, and begetting and bringing forth great and honourable things amongst the nations and churches abroad, for advancing the kingdom of Jesus Christ, and bearing down the kingdom of antichrist. Neither can it be forgotten, how by the same authority, it is appointed to be subscribed by persons of all ranks severally, writing their names or their marks, to which their names are to be added in a parchment roll or a book, whereunto the covenant is to be inserted; purposely to be provided for that end, and kept as a record in every parish; and how a little thereafter, it was afterwards ordered by the honourable house of commons, that the solemn league and covenant be on every day of fast and public humiliation, publicly read in every church and congregation within the kingdom, and that every congregation be enjoined to have one of the said covenants fairly printed in a fair letter, in a table fitted to hang up in some place of the church to be read; which things wanted

not their due effect in many places : And why should we not also mention the mighty power and loving kindness of the Lord, testifying from heaven in his works of providence, his approbation of what was done by his people in these things according to his word, who knows not how from that day and upward, the Lord went forth with his people and their armies, and that the enemy was not able to stand before them, but did fall under them until they were foiled and wholly broken to pieces. These things we mention, to stir up and entertain in ourselves and others, the honourable and due estimation of that honourable and sacred bond of the covenant, thus well warranted by precepts and precedents from the word of the Lord, thus rationally and strongly urged by the authorities in both nations, thus solemnly sworn by so many thousands, thus sealed and attested in the consciences of so many gracious souls, by lively communion and fellowship with God, in bringing themselves under the bond thereof, and thus blessed and countenanced of God with such outward deliverances and successes ; and to make it appear that it is not without cause that we judge the obligation thereof still to be in force, and that we do witness and profess our adherence thereunto. For our parts, though we do not judge all the matters contained therein to be of the same importance and weight, some of them being religious, others civil only, nor all the articles thereof to be of the same nature, some of them being absolute and binding absolutely, others being conditional and binding conditionally only : Yet we do judge ourselves, and the parties engaged therein, and who have taken it, to be still firmly bound to endeavour, according to our and their places, the performance of the several things therein contained and sworn, according to the common and plain sense of the words and nature of the obligation therein expressed, and that no person or power upon earth can dispense or absolve either themselves or others from the bond and tie of the sacred oath of the most high God.

In the first place, We do testify for, and bear record unto so much of the work of uniformity in religion, as was attained by the reverend assembly of divines at London, and the commissioners of the kirk of Scotland, in one confession of faith, form of church government, directory of worship, and catechising, and ratified and approved by the general assemblies of this church, and parliaments of this kingdom, in so far as did concern them, judging the same to be sound and agreeable

agreeable to the rule of the word of God, and to be in so far the result of one of these great duties whereunto we are obliged by covenant, *viz.* To endeavour to bring the churches of God in these three kingdoms, to the nearest conjunction and uniformity in religion, confession of faith, form of church government, directory for worship, and catechising, that we and our posterity after us, may as brethren live in faith and love, and the Lord may delight to dwell in the midst of us; and being followed and practised, to be such as would singularly contribute for the honour and glory of God, and the edifying of the churches of Christ in these nations, in the knowledge and belief of the truth, purity of worship, strength of discipline, unity of affection, and power of godliness, and to the taking away and suppressing all things that are contrary thereunto.

Having now borne testimony for, and professed our adherence unto the doctrine, worship, discipline, and government of the kirk of Scotland, and to so much of the work of uniformity as was attained with England, and to the national covenant of Scotland, and to the solemn league and covenant of Scotland, England, and Ireland, we hold it our duty, in the next place, upon the grounds, and for the ends already set down, as to profess our adherence to the testimonies formerly given by ourselves and others of the Lord's ministers and people, of the protesting judgment in this land, since the month of September, in the year 1651, concerning the actings of the present powers against this nation and church: so also at this time, to bear witness against the things now on foot in these nations, that are contrary and destructive unto the doctrine, worship, discipline, and government, uniformity and covenants already mentioned. And therefore,

1. We do profess our abhorrence of the remnant and root of that popish, prelatical, and malignant spirit, which notwithstanding of the Lord's witnessing against it in a most eminent way, now for near twenty years in these nations, both by his word and works; yet doth not only lodge and lurk in thousands, but breaks forth in many, unto the opposing of godliness, and the work of reformation, and in taking hold of every shadow of opportunity that seemeth to contribute for reviving and promoting the old malignant interest and designs, against religion and liberty: And we cannot but bemoan that that spirit, in the actings thereof, as it standeth in opposition to godliness and the precious truths and ordinances

nances of Jesus Christ, is too much connived at, by which it cometh to pass that popery grows and spreads, and that malignant men cast off the yoke of discipline, and set up pastors according to their own heart, and bear down the godly, and the work of God in many places; yea, we cannot but bemoan that many such, through their feigned forwardness and counterfeited zeal to promote the interests of church and state, have screwed themselves into places of power and trust in both, and labour to infuse but too much of that spirit into the very vitals of government, designing, no doubt, to do by fraud what they have not been able to do by force, by making us do, as Amaziah king of Judah did, (who after he had overcome the Edomites, did bow down and worship their gods, 2 Chron. xxv. 14.) unto the involving of the land again in sinful compliances with the malignant party, contrary to the solemn public confession of sins and engagement unto duties, in the year 1648; to which solemn confession of sins and engagements unto duties, we do also judge ourselves bound to bear testimony, and to profess our adherence thereunto.

2. We do disclaim and testify against all that huge swarm of errors, and heresies, and blasphemies that have been broached, and have broken out in these nations in our days; whether such as deny and oppugn the divine authority of the holy scriptures, or the sacred Trinity of persons, Father, Son, and Holy Ghost, in the blessed unity of essence and being, one infinite, eternal and almighty God; the Deity of the Son of God; the Deity of the Holy Ghost; God's holy and eternal decrees of election and reprobation; the creation of the world; the being of good and evil angels; original sin; the immortality of the soul; the resurrection of the body; the day of judgment; eternal life and death; the two natures of Jesus Christ, and the union thereof in one person; the real merit and satisfying virtue of his death and passion to take away sin and wrath, and redeeming of souls from the guilt and bondage thereof, and these only who are given to him of the Father, and not all and every individual man; or the impotency and deadness of man's will to all spiritual and supernatural good; or the true nature of faith; or justification by the free grace of God through the imputed righteousness of Christ taken hold of by faith; or the use of the moral law to believers; the inbeing of sin and of a body of death in believers; or their confessing and acknowledging of sin, and praying unto God for pardon thereof; or their being chastised

tified of God for their sins; or the ordinances of Christ as superfluous and not necessary to a saint; or the morality of the Lord's day; or the baptizing of infants born within the church; or the lawfulness of oaths; or degrees prohibited in marriage, Lev. xviii. the government of the house of God by presbyteries and synods; and whatsoever is contrary to the law and to the testimony, under whatsoever names or forms; whether Atheism, Antiscripturism, Arianism, Scepticism, Socinianism, Popery, Pelagianism, Familism, Arminianism, Antinomianism, Libertinism, Anabaptism, Erastianism, Prelacy, Separatism, Independency; and whatsoever else that is condemned by the word of God, that hath been published in these nations these years past, or is on foot therein at this day, the particulars whereof being so many and various, would be tedious and irksome to enumerate: Yea, as we do disclaim and testify against all of these, so we judge that many of these are for their grossness to be abhorred, and do wish that they could for ever be buried in immortal oblivion, never to be mentioned nor heard of any more in the churches of God; but when they are vented, and many of them countenanced and encouraged, unto the provoking of the God of truth in a high measure; to the affronting and treading under-foot his precious truth and ordinances; to the subverting and destroying of many souls; to the reproach of the churches of Christ at home, and scandalizing of these that are abroad; to the grief of the godly, and insulting and mocking of the profane; to the amazement of friends, and joy and rejoicing of adversaries, who can hold his peace? Nay, we are afraid that God will, in some eminent way, declare his wrath from heaven against these lands, because of that cursed monstrous brood of errors, heresies, and blasphemies that hath been hatched and bred up therein these years past, and alas, with too little contradiction; would to God not too much connivance and countenance from these who might have done much for crushing that cockatrice in the shell.

3. As we do profess our dissatisfaction that the civil powers should take upon them by themselves, ordinarily to prescribe public humiliation and thanksgiving, with the causes and diets thereof, to all the ministers and members of this church, as being contrary to the well warranted privileges and constant practice of the church itself, and in its own nature introductory to greater encroachments, and putting into the hands

hands of the civil power, the modelling of the public worship of God, and things most properly ecclesiastic; so we desire with that sobriety that becomes Christians, and that faithfulness and zeal that becomes the ministers of the gospel, to bear witness against these injuries that are done to the true reformed protestant religion, professed in this church, and held forth in our Confession of Faith and Catechisms, and Directories for worship and government, by that late petition of advice offered by the late parliament at Westminster to his late Highness, and consented unto by him in the article concerning religion, and now homologated by the establishment made of that government in the person of his son according thereto. 1. Because that article, though it do provide that the true protestant religion, as it is contained in the holy scriptures of the Old and New Testament, be held forth and asserted for the public profession of these nations; yet by precluding from all our former Confessions of Faith, and attainments in the work of reformation, and by providing that a Confession of Faith yet to be agreed upon by his Highness and the parliament, according to the rule and warrant of the scriptures, be asserted, held forth and recommended to the people of these nations, it doth wave and cast loose all these former attainments and Confessions of Faith from being the *testera* of our public profession, and import a very great reflexion upon the religion which, since the reformation from popery, hath been professed amongst us, and giveth no small scandal to the churches of God at home and abroad, and no small advantage to papists and other adversaries, by ministering unto them but too just occasion to think and say, that after a hundred years professing of the protestant religion, we have it and the Confession of our Faith thereanent yet to seek; and to be determined upon; yea, it leaveth it doubtful, what is or may be understood by the protestant religion mentioned in the article; whether that called Calvinism, or Lutheranism, or Arminianism, or any other that layeth claim to the name of the protestant, or some complex of all or more of these, or the things wherein all of them do agree, laying aside the things wherein they differ. 2. Because the determinations concerning religion made in that article, though reaching to Scotland, no less than to England and Ireland, were enacted and established in a law, not only without the previous determination of a synod or assembly of this church, but also without so much as advice taken or consultation had with

any of her synods and assemblies; yea, whilst some of her ministers were earnestly desiring and pressing the contrary, and that any civil power should at the first instant, especially in a church constituted, whose established doctrine, worship, discipline, and government, they are bound not only by the common tie of the magistrate's duty, but also by the particular oath of God, to preserve inviolable, take upon them of, and by themselves, to determine things of so intimate and important concernment to religion; yea, take upon them to cast loose their former good and praise-worthy settlements, and to determine the public confession of that church and nation, (as is hinted in that petition of advice) we conceive to be contrary to the word of God, which hath put into the hands of the officers of his own house (and not into the hands of the powers of the world) the keys of his own house, whether the key of knowledge, or doctrine, that consists in expounding and preaching of the word, and determining controversies of faith, according to the rule of the scriptures, or the key of order and decency, by which circumstances of order and worship in the house of God are determined, according to the general rules of the word, concerning order and decency, or the key of discipline for exercising of church censures upon the scandalous and obstinate, or the key of ordaining and sending forth of church officers, for spiritual services and ministrations in the house of God, Matth. xvi. 19. John xx. 23. Mal. ii. 7. Deut. xvii. 9, 10, 11. Lev. x. 10. Ezek. xxii. 26. and xxxiii. 23, 24, Rev. ii. 2, 14, 15. Acts xv. 6, &c. and xvi. 4. John xviii. 36. 2 Chron. xxvi. 16, &c. and to be contrary to the Confession of the Faith and constant tenor of the doctrine of this church, and former good and laudable laws of the land, as will appear from the large Confession of Faith in the head of councils, (to which also agreeth the confession of Faith, first agreed upon by the assembly of divines at Westminster, anno 1646, in the head of synods and councils, and in the head concerning the civil magistrate) and the remonstrances and declarations of the general assemblies of this church, particularly from the declaration of the general assembly, against the unlawful engagement in war against England, anno 1648, and from several acts of parliament, particularly from the first act of the twelfth parliament of King James, held at Edinburgh, June 5. 1592. yea, to be contrary to the Confessions of Faith and body of the doctrine of the protestant churches, which do generally

generally and harmoniously teach an ecclesiastic power in the officers of the house of God, distinct from, and independent upon the civil powers, to which belongeth the exercise and use of the keys of the kingdom of Christ: and therefore for the civil power to assume it, is to transgress the bounds, and to remove the land-marks which are set by God, against which the faithful men of God, who lived in this church in the days of our fathers, did witness in the midst of difficulties and dangers. 3. We hold ourselvcs bound to witness against that article, because of the toleration of many errors and heresies, and things that are contrary to sound doctrine and the power of godliness that is therein framed and established in a law, *viz.* Of all these that are consistent with professing faith in God the Father, and in Jesus Christ his eternal Son, the true God, and in the holy Spirit, God co-equal with the Father and the Son, one God blessed for ever, and with acknowledging the holy scriptures of the Old and New Testament to be the revealed will and word of God, whilst the maintainers thereof abuse not this liberty to the civil injury of others, or the disturbance of the public peace; so that this liberty be not extended to popery or prelacy, or to the countenancing such who publish horrible blasphemies, or practise, or hold forth licentiousness or profaneness under the profession of Christ, and therefore not only unto Arminianism, Antinomianism, Anabaptism, Erastianism, Separatism, &c. but also to a great part of Familism, Socinianism, Quakerism, Pelagianism, and many errors that do not only deny and destroy many of the beautiful superstructures, but do also strike at many of the corner stones, and chief foundations of Christian religion: Such a toleration as this we conceive cannot be connived at, much less countenanced and allowed by masters of families in their households; by church officers in the churches of Christ; or by Christian magistrates in Christian states and commonwealths, without palpable crossing and contradicting the will of God revealed in the scriptures of truth, Gen. xviii. 19. and xxxv. 1, 2, 3, 4. 1 Sam. iii. 11, 12, 13, 14. Psal. ci. 1. 1 Tim. ii. 3, 12. John x. 11. Tit. iii. 10, 11. Rev. ii. 6, 14, 15, 16, 20. Deut. xiii. 6, 11, &c. Josh. xxii. 11. 1 Kings xviii. 40. 2 Chron. xv. 16, 17. 1 Kings xii. 26. 2 Kings xvii. 18. Ezek. xxiii. 45, 49. Amos v. 13. Zech. xiii. 3. Therefore have the commissioners of the general assembly of this church witnessed plainly and fully against this toleration, whilst it was but yet in the bud, anno 1649.

And the reverend assembly of divines at Westminster, as they have in the Larger Catechism, in the exposition of the second commandment; reckoned the tolerating of false religions amongst the sins forbidden therein; so in the Confession of Faith, they do assert it to be the duty of the magistrate to take order that the truth of God be kept pure and entire; that all blasphemies and heresies be suppressed; all corruptions and abuses in worship and discipline prevented or reformed; and all the ordinances of God duly settled, administered and observed: and it is a covering will be found not of the Lord's Spirit, to say, that these commandments and precedents, and threatenings from the word of God, do not concern the magistrate in the days of the gospel, not only because the ends and reasons thereof, *viz.* The glory of God, and the preservation of the image of God, which consists in holiness and righteousness amongst the children of men, are moral and perpetual; but also because as the Lord hath prophesied and promised of the Christian magistrate in the days of the gospel, that he shall not defile the place of the Lord's throne, and the place of the soles of his feet where he will dwell in the midst of his people, in their setting up of their thresholds by his thresholds, and their posts by his posts, Ezek. xliii. 7, 8. and that they shall thrust through the false prophets, Zech. xiii. 3. So hath the Lord Jesus Christ himself, who is the King of kings and Lord of lords, shown them an example, by making a scourge of cords, and driving buyers and sellers out of the temple, which was the only act of compulsive and external power that we read of him, to have exercised in all his life, that he might therein give an example of that zeal for the house of God, which ought to possess all these against the profaners of his temple, and polluters of his church, to whom God hath given a coercive power over the outward man: And the apostle Paul, Rom. xiii. in laying down the magistrate's duty, hath instructed us, that he beareth the sword to be a terror to evil works; we mean, such as appearing in the outward man, do mar the glory of God and the good of men, and are subject to cognizance and trial by men, of which sort are many errors, and heresies, and blasphemies, 2 Phil. 2. 2 John 10. 2 Tim. iii. 13. Tit. iii. 10. Rom. xvi. 17. And is it not prophesied in the book of the Revelation, *That the kingdoms of the world shall become the kingdoms of our Lord, and of his Christ; and that the ten horns shall hate the whore, and make her desolate* and

and naked, and shall eat her flesh and burn her with fire, Rev. xi. 15. and xvii. 16. Yea, is not the present powers, their taking upon them to restrain popery and prelacy, an undeniable acknowledgement that the civil magistrate hath power given of God so to do? and if in these things, why not in other things that are no less prejudicial to the glory of God, and spiritual good of men? 2. Because such a toleration is utterly repugnant unto, and inconsistent with the indispensable oath of God in the solemn league and covenant, professed to be made in the presence of Almighty God the searcher of all hearts, with a true intent to perform the same, as we shall answer at that great day, when the secrets of all hearts shall be disclosed. Is this toleration the performing of these vows of God upon us? Or is it not the way to cast loose the reformed religion in Scotland; to hinder reformation in England; to mar uniformity in one Confession of Faith, Directory of Worship, Catechism, and form of church government? And shall we hereby extirpate superstition, heresy, schism, profaneness, and whatsoever shall be found contrary to sound doctrine and to the power of godliness? Or is it not the way to nurse them upon our breasts, and dandle them upon our knees? Is this to free our souls from the guilt of other mens sins? Or is it not to suffer sin upon them, yea, to partake with them therein, and so partake of their plagues? Is this to make the Lord one and his name one in the three kingdoms? Or is it not rather to multiply our gods according to the number of our cities? 3. Because this toleration, by the countenance which it hath had in this nation these seven years past, hath already produced many sad and sinful effects, such as the growth and increase of popery; the spreading of Libertinism, Quakerism, Anabaptism, and the profaning of the Lord's day, and despising of the ordinances and public assemblies of the Lord's people; the contempt and casting loose of church discipline; the causeless and unjust revolt of men of a malignant spirit from their own lawful pastors and church officers, and sundry such like, that are destructive unto piety and godliness, and to unity and order. And if God shall not be graciously pleased, by a wonderful work of power and mercy to prevent it, what can be expected, when it is now framed into a law, and all laws to the contrary repealed and taken away, but that it should prove the inlet to all sort of error, and distraction and confusion? Who knows not how fertile the spirit of man is of vain imaginations, and how
prone

prone to change the truth of God into a lie, that hardly can all these bounds that are set unto it, and these bands that are put upon it by the Lord, when improven by men to the utmost diligence and care kept from debording into error and looseness, shall it not then overflow all its banks when it may do it without contradiction; yea, in many things expect countenance and protection therein? Our hearts tremble to think how the glory of God shall be trodden under-foot; how the precious truths of the gospel shall be corrupted and perverted; how the ordinances of Christ shall be contemned and set at nought; how his government shall be overthrown; his officers had in contempt; his worship polluted; his day profaned; how peoples minds shall be troubled, and souls subverted; how the power of godliness shall be eaten up with vain janglings; how the whole work of reformation shall not only be retarded and obstructed, but in a great measure (if not utterly) rendered void; how, instead of reformation we shall have deformation; instead of the power of godliness, vain jangling; instead of love, bitter heart-burnings and jealousies; instead of union, schism and division; instead of peace, contention and strife; instead of order and government, anarchy and confusion; yea, what else can be the fruits that such an evil tree can bring forth, or the streams that can issue from so bitter and impure a fountain, but that at last our candlestick should be removed, and our sun set in a sad night of obscure darkness? It is above all contradiction, that as the see of Rome, these hundred years past, hath always had an eye upon Britain, for reducing the churches of Christ therein unto their former subjection unto the man of sin, so hath not her hopes been more heightened by any thing, than by this toleration; because thereby advantage is ministered for sending forth her emissaries, for crying down a ministry and ordinances, and perverting of the precious truths of God, and instilling into peoples minds the seeds of the popish doctrine, which maketh many wise men fear that these nations shall again, at last, be carried back again into Rome, and be swallowed in popish superstition and idolatry.

Next, as we do profess the sorrow of our hearts, so we do testify the abhorrence of our souls, against all the injuries and affronts that have been or are offered and done to the national covenant of Scotland, and to the solemn league and covenant of England, Scotland, and Ireland. It is too much sin upon these nations (whereof we acknowledge ourselves to have

have a large share) that they have not attended the duties to which they are respectively engaged therein, with that sincerity, reality and constancy that befits so sacred and solemn vows made unto God, but have, through the power of an unsound and luke-warm heart, and an unstable spirit, come short exceedingly therein; yea, have fallen in many breaches of all the articles thereof. But what a dreadful astonishing thing is it, the like whereof we believe hath scarce been heard amongst the heathen, that these solemn vows and covenants (which for the solemnity, hath had but few parallels among the nations) should not only be scorned and derided by open adversaries, but vilified, reproached, opposed and trodden under-foot by many who have therein opened their mouths unto God, and subscribed and sealed them with their hands; yea, sought to be buried in oblivion, that the name thereof as to the obligation of them, may be no more mentioned nor remembered. We cannot remember nor repeat but with much indignation and abhorrency of spirit, how some have railed upon, and reviled it, to that height of impudence and impiety, as to call it Nehustane, the brazen serpent that should be broken to pieces, and ground to powder, lest men fall down to worship it, and to compare the pressing of it to the papists holding up the idolatrous eucharist in the eyes of the people, that they may fall down and worship it; and how others of no better spirit have been bold to call it a device of the devil, a cursed covenant hatched in hell: And which doth more afflict us, as being a more public sin upon these nations, not only is there no law nor declaration, since the year 1651, declaring the standing obligation thereof, and former laws and declarations relating thereunto to be still in force, but the very formal tie and obligation thereof is forgotten and laid aside; and all laws, statutes and ordinances, and clauses in any law, statute and ordinance, relating to the tie and establishment thereof, repealed, so far as they are contrary to the liberty and toleration in things religious, held forth in the petition of advice. Oh that we were sensible of the dishonour that is done to God in these things, and of the dreadful guilt that these nations are involved into thereby, and of the great wrath that is like to come thereupon because of the same. If covenant breaking be a most hainous and dangerous offence complained of, condemned, threatened, and severely plagued of God, Psal. lxxviii. 34, 35, 36, 37. Jer. xi. 10. 2 Kings xvii. 15. Lev. xxvi. 25. Deut. xxix. 20,

21, 22, 23, 24. Jer. xxii. 8, 9. Ezek. xvii. 15. Amos i. 9. Josh. vii. 11, 12. 2 Sam. xxi. 1, 2. If it be true which was delivered from the word of the Lord by a reverend divine, in his exhortation made to the honourable house of commons, and reverend divines of the assembly at London, before he read the covenant, that a truce-breaker is reckoned up amongst the vilest of Christians, 2 Tim. iii. 3. So a covenant-breaker is listed amongst the worst of heathens, Rom. i. 31. And which from the same word of truth was delivered by another reverend divine, at the taking of the covenant, by the honourable committee of estates, and reverend commissioners of the general assembly in Scotland, *That God would shake out every man from his house, and from his labour, that performed not the words of this promise*, Neh. v. 13. If (we say) these be the true sayings of God, as no doubt they are, because delivered by the God of truth, in the scriptures of truth, have we not reason upon the hearing thereof, to be afraid, that great is the wrath of the Lord that is kindled against the inhabitants of these nations, because of forsaking and despising of his covenant; and upon that account, not only to mourn and humble ourselves in private, but also to give public warning thereof unto others, that (if the Lord so will) we may persuade them also to humble themselves, and repent; or if they will not hearken and hear, that we may deliver our own souls, by bearing witness to God and his truth, and by not hating our brother in our heart, but in any wise rebuking our neighbour, and not suffering sin upon him, Lev. xix. 17.

In the last place, we do also, as ministers of the gospel, testify our dislike, that the civil powers, who now bear rule over this nation, should engross into their treasury, the legal settled maintenance of all the vacant churches into the land, and put the disposing thereof into the hands of a civil judicatory, without whose intervening approbation and warrant (notwithstanding of their being called by the congregation, and approved and admitted by the presbytery) none shall be authorized or admitted to any such vacant living or benefice, as is due to the ministry in Scotland, and that they do not allow them this approbation and warrant, until first they do declare under their hands, their purpose and resolution to live peaceably under the present government. 1. Because this way is contrary unto the word of God. [The divine right of the maintenance of ministers is a truth that is clearly taught in the scriptures, both of the Old and New Testament, Numb.

xviii. 8, 9. Deut. xiv. 22, 23, 24, 25, 26, 27, 28, 29. Ezek. xlv. 1, 2, 3, 4, 5, 6, 7. Matth. x. 10. Luke x. 7. 1 Cor. ix. 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14. Gal. vi. 6. 1 Tim. v. 17. And the scriptures also teach, that as it is the magistrate's duty to see sufficient provision made for the ministry, and (if need be) to supply their want out of their own treasury, Isa. xlix. 23. and lx. 10. 1 Chron. xxix. 1, 2, 3, 4. 2 Chron. xxxi. 2, 3, 4, &c. Neh. xiii. 10, 11, 12, 13. Gen. xlvii. 22. So also that is a great sin before the Lord for them, or any other, to take away or devour, or intervert holy things that are now already settled and devoted unto the maintenance of the gospel, and of the worship of God, Lev. xxvii. 10, 32, 33. Deut. xxvi. 12, 13, 14, 15. Prov. xx. 25. 2 Kings xvi. 17. 2 Chron. xxv. 24. Joel iii. 4, 5. Mal. iii. 8, 9. Acts xix. 37. Rom. ii. 22. Add to these things, that the church of Scotland hath a proper patrimony and rents of her own, competent for the entertaining of her ministers, founded for most part upon the tithes and allocations out of the same, and upon particular donations and mortifications of private and public benefactors. 2. That there is no footstep in the word of God of the civil magistrate his approbation of a minister in the house of God, as necessary, before he have right unto, or power to intromit with his maintenance, or of the civil magistrate his being warranted to put a bar upon the legal maintenance of the ministers of the gospel, that is due unto them by virtue of their office, or to restrain it, until first they have given bonds for their peaceable deportment under his government; but that upon the contrary, the word of the Lord doth clearly teach, that ministers maintenance is due by virtue of their office, and without any such intervening approbation from the civil magistrate, or any such bonds required of them, or given by them: The Holy Ghost, Lev. vii. 35, 36. calleth the maintenance of the priests, the portion of their anointing, in the day when he presented them to minister unto the Lord in the priest's office, which the Lord commanded to be given them of the children of Israel, in the day when he anointed them, by a statute for ever, throughout their generations, which is repeated again, Numb. xviii. 18. Their maintenance is in many texts of scripture, called their inheritance, which they were as freely to enjoy, as the people did enjoy their inheritances. The light of nature taught a heathen king to allow heathen priests somewhat more in the freedom of their enjoyments, than to the rest of his subjects, Gen. xlvii. 22. and

the part of Levi's covenant of ministers, having access to their maintenance freely by virtue of their office, is of force under the gospel, as well as under the law, as we may see from the xlvth chapter of the prophecy of Ezekiel: It is there appointed that an holy portion of the land be assigned for the priests, the ministers of the sanctuary, and given unto them immediately by the assignment and commandment of God, without such intervening approbation of any civil authority, or any such promises required of them, or made by them, as previous unto their right thereunto. And the same thing is also clearly consequent from these texts in the New Testament which we have cited already, that do prove the maintenance of ministers under the gospel, to be due unto them, *jure divino*, and by virtue of their office. 3. This way of assuming and disposing of the maintenance of the ministers of the gospel, is contrary unto the liberties, and privileges, and constitutions of this church, founded upon the word of God, and confirmed by a constant current of many wholesome laws and acts of parliament, made in favours of the church. 1st Book of Discipline, head fifth and sixth. 2^d Book of Discipline, chap. ix, x, xii. Act of the General Assembly at Edinburgh, Dec. 25. 1566. Articles touching reformation condescended upon in the Assembly at Edinburgh, July 21. 1567. Act of the Assembly at Edinburgh, April 24. 1576. Act of Parliament at Edinburgh, Oct. 24. 1581. Act of Parliament at Edinburgh, Jan. 1. 1592. As also, the 6th, 7th, and 8th Acts of King Charles II'd's Parliament at Edinburgh, June 11. 1640 with many other acts of the general assemblies of this church, and acts of parliament of this nation, as will easily appear to any that shall peruse the registers of kirk and state. 4. Because it doth clearly tend unto the bringing of the church and the ministers thereof in bondage unto the lusts and will of men, by taking from them liberty of discharging their consciences in declaring all the counsel of God, and reproving of the sins of all men freely, and without respect of persons. Thus being bound in the spirit, we have been constrained in this cold and declining time (wherein few are valiant for the truth, or do faithfully and zealously plead for the Lord and his interests, and many do conspire for making void of his law, though, blessed be his Majesty, he wants not a cloud of honourable witnesses in these nations, who have gone before us in these things, the measure of whose testimony we do desire in some things to fill up, according to the light and strength which we have received

of the Lord,) to stand up for his precious truth, and to testify before God, angels and men, our owning and approving of the doctrine, worship and government of the church of Scotland, and of the national covenant, and of the solemn league and covenant of the three nations, and of so much of the work of uniformity in religion, as is attained in one Confession of Faith, Directory of Worship, form of church government, and catechising; and to profess and avouch our adherence unto all these, as having their foundations laid in the blessed word of truth, and as being agreeable to that rule that bringeth peace in walking according thereto; and to disclaim and disavow all things that are contrary and destructive thereunto, especially the manifold errors and heresies of these times, and the vast toleration thereof now established in a law, and that gross Erastianism whereby the keys of the kingdom of heaven are in many things, by exotic powers, extorted out of the hands of Jesus Christ, and the officers of his house, and the liberties of his house wronged, and his servants brought into bondage, in all which we have (so far as we have obtained mercy to know our own hearts) confidence to take God to record upon our souls, that we have not desired nor designed to provoke any, nor to appear singular; but in the simplicity of our hearts, to discharge our consciences to our flocks, and to this whole church and nation, and to all that are interested and concerned in these things, and to the churches and saints abroad, as many as hear hereof, and to our posterity when we are gone. And therefore we have only to add, first, That it is the earnest desire of our souls, and our serious exhortation and warning to these of our flocks, and to all the Lord's people in the land, that they would labour to have the word of God richly dwelling in them, that they may be able to try the spirits, and to discern of things that differ; to know what is truth, and what is error, and what is right, and what is wrong; and that they would study to be rooted in the faith and in the love of Jesus Christ, and of his precious truth and ordinances, retaining an honourable estimation thereof in their hearts, and expressing their sincere affection and respect thereunto in all their ways, and that they would study to keep fresh upon their souls, the remembrance of all the goodness of the Lord, and of all the great works that he hath done for us, and for our fathers of old; and of our solemn vows and covenants made with God in the sight of angels and men, and never to suffer such forgetfulness and profanity

to possess them, as to think themselves loosed from the true and genuine tie thereof; but to keep themselves under the bond of the same, and sincerely, really and constantly, to endeavour the performance of the duties to which they are thereby obliged, and that they may not be offended nor stumble at Jesus Christ and his work, nor faint, nor cast away their confidence, because of backslidings, and revoltings, and divisions, and heresies; or because of disappointments, and reproaches, and contradictions, and oppositions, and oppressions, and persecutions, for these things must be, that they which are approven may be made manifest, but that they be strong in the Lord, and in the power of his might, possessing their souls in patience, and waiting for his salvation, knowing, that he that endureth to the end, shall be saved; and in the mean while, comforting themselves in this, that God hath not cast off the care of his church and people in this land. It is a mercy most worthy of our observation, that errors and heresies, notwithstanding all the advantages they have had these seven years past in Scotland, have taken hold but of few professors, formerly noted for the knowledge and love of the truth; and that the preaching of the gospel, notwithstanding all the disadvantages it hath been attended with these years, yet hath been blessed of God in several places of the land, to the bringing in and building up of souls; an evidence that the Lord is yet amongst us, and a promising branch of hope that he will revive his work, and bring forth his remnant, and continue to dwell in our land. And we are also bold in our God, to warn the higher powers, into whose hand the Lord hath, in the depths of his righteous judgments, given this nation, that they would not look upon this our testimony, as proceeding from any evil spirit, or carnal or politic design, but from the sincere and innocent impressions of our duty made upon our hearts by Jesus Christ (who though he is the Prince of peace, yet did the zeal of the Lord's house eat him up, and make him witness against the corrupters of his truth, and polluters of his worship, and profaners of his temple, and all unrighteousness of men) nor despise the words of soberness and truth, which though proceeding but from a very few poor weak instruments, yet we are sure, have their foundations in the scriptures of truth, and are, as to the matter confirmed; we hope, with the heart approbation of many of the thousands of the Israel of God in this land, but that laying aside the balances of outward dispensations,

penfations, and politic principles and intendments, they would weigh things in the balance of the Lord's sanctuary, and in the fear of the great and dreadful name of the Lord, search and try their way in order to this nation; especially in order to the house of God, which doth in a great measure lie waste; yea, would to God were not laid waste and made desolate, and the hedges thereof broken down, whilst men run to build and fence their own house with the spoils and ruins of the house of God: 'The wrath of God is revealed from heaven against all ungodliness and unrighteousness of men. Jerusalem hath been a cup of trembling and a burdensome stone to many people, and hath cut them in pieces, who have burdened themselves therewith, Zech. xii. 2, 3. and the vengeance of the Lord's temple hath broken in pieces many of the powers of the earth, Jer. l. 15, 28. And whoever have endeavoured to raise themselves upon the ruins of his house, have been buried under the rubbish thereof; yea, where services hath been otherwise commanded and prospered of the Lord: Yet when men for rooting of themselves have remitted their zeal for the house of God, and countenanced the worshipping of calves and idol gods, their former services have been imputed unto them for iniquity, and the Lord hath threatened to avenge them upon them and their house, 2 Kings x. 29, 32. Hosea i. 4. And therefore it concerns the higher powers that now are, under the peril of the dreadful displeasure of the Lord of hosts, who is zealous for his holy temple, and for his people, timeously and seriously to consider of these things, and whether their actings, in order to this nation and church in those things that concern righteousness and religion, be agreeable to the rule of equity, and to the bond of the brotherly covenant; or if the royal law in these matters be not violated, and the solemn covenant broken and laid aside, and forgotten, and the hedges of the Lord's vine broken down, so that all they which do pass by the way do pluck her, and the boar out of the wood doth waste it, and the wild beast out of the field doth devour it. *Return, we beseech thee, O God of hosts: look down from heaven, and behold and visit this vine: and the vineyard which thy right hand hath planted: and the branch that thou madest strong for thyself. It is burnt with fire, it is cut down, they perish at the rebuke of thy countenance. Let thy hand be upon the man of thy right hand: upon the son of man whom thou madest strong for thyself. So will not we go back from thee: quicken us,*

us, and we will call upon thy name. Turn us again, O Lord God of hosts : cause thy face to shine, and we shall be saved.

October 1658.

Subscribed by us,

Mr. *Samuel Rutherford*, professor of divinity at St. Andrews, and minister of the gospel there.

Mr. *James Wedderburn*, minister of the gospel at Moonzie.

---- *John Crooksbank*, minister at Regortoun.

---- *James Guthrie*, minister of the gospel at Stirling.

---- *Alexander Moncrief*, minister at Scoony.

---- *John Murray*, minister at Methven.

---- *Robert Campbell*, minister at Mullein.

---- *Francis Peirson*, minister at Kirkmichael.

A LET-

*A LETTER from several Ministers homologating the former
TESTIMONY.*

REVEREND and dear brethren, being informed that you are upon thoughts of causing print the Testimony, given by you in behalf of the doctrine, worship, discipline, and government of the kirk of Scotland, and of the national covenant, and solemn league and covenant, and the work of uniformity in religion, and against the errors, heresies, and blasphemies of the times, and the toleration thereof, &c. And taking to our serious consideration the manifold dangers that do threaten religion, and the work of God in these nations, especially in this church, with the continuance and increase thereof day by day: We could not but encourage you therein; and for the exoneration of our own souls, join with you as joint witnesses in those matters. We could have wished, and we know, so also could ye, that there had been a new draught fitted in every thing, to the present state and condition of the time, and to the workings of the spirit of delusion therein: and in a special way taking notice of that unhappy petition lately subscribed and promoted by some few of our countrymen, in behalf of that vast toleration that is now on foot in these nations; a petition that we are the more bound to witness against, because it is commonly reported, and we believe, not without ground, to be subscribed by Mr. Thomas Ireland, who did once profess himself to be of our number, whose miscarriage in that particular, as we desire to be humbled before God for it, so we judge it our duty, and we know also, so do ye, to bear witness against it before the world; but knowing that it would take a long time before a new draught of a testimony could be condescended upon, by these that live at such a distance, especially in the winter season; we thought it better to encourage you to publish this, and to take hold of the present opportunity of signifying our consent thereunto, than to delay, being altogether uncertain what the present confusions might bring forth. That we did not at the first subscribing join therein, was not upon any dissatisfaction upon the matter which it contains, we being abundantly clear in that from the beginning, but some of us were cut off from the occasion, by physical impediments, and others knowing that there was at that time some endeavours and expectation of an

an address to be made by several synods, to the civil powers, for remedying of the evils which you then thought fit to witness against, in such a way, they judged it more expedient for the time, to delay the giving of any such testimony, until these addresses should prove ineffectual: and there being now no access thereunto, we are very free to homologate your Testimony, and do hereby declare our consent and adherence to the same, desiring that it may be construed of the world, and accepted of God, not only as yours, but as ours and yours jointly: So commending you to the grace of God, we continue

Your very affectionate brethren
in our Lord Jesus Christ,

Nov. 22. 1659.

Mr. *Thomas Lundie*, minister at Ratray.
---- *James Symson*, minister at Airth.
---- *George Murray*, minister at Foulis.
---- *Robert Rule*, minister at Stirling.
---- *Thomas Hogg*, minister at Lerber.
---- *Thomas Glasf*, minister at Dunkell.
---- *James Strachan*, minister at Dunkell.
---- *Gilbert Menzies*, minister at Fortengel.
---- *Patrick Campbell*, minister at Killin.

For their reverend brethren Mr. Samuel Rutherford, principal of the divinity college in St. Andrews, Mr. James Guthrie, minister at Stirling, and the rest of the brethren subscribing the Testimony.

THE
HISTORY
OF THE
INDULGENCE.

SHEWING
ITS RISE, CONVEYANCE, PROGRESS, AND
ACCEPTANCE.

TOGETHER WITH A
DEMONSTRATION OF THE UNLAWFULNESS
THEREOF, AND AN ANSWER TO CONTRARY
OBJECTIONS.

ALSO
A VINDICATION OF SUCH AS SCRUPLE TO HEAR THE
INDULGED.

By a PRESBYTERIAN.

by Mr. John Brown, Warrington

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T O T H E

CHRISTIAN READER,

Particularly the suffering Ministers and Professors in the Church of SCOTLAND.

Reverend, much honoured, and dearly beloved,

I HOPE I need not tell you, (whom I look upon and address myself unto, as taught of God, not only in the main, but in many things that relate to our present calamitous case and condition) that the knowledge of the times, and what the Israel of God ought to do, should be your ornament and cognizance, distinguishing you from others, who are brutish in their knowledge: Neither need I tell you, how impossible it is to know, what the present day and hour makes indispensable duty, without a just reflexion on what is past; for the emergencies of the present day can never be improved to the advantage of preventing the morrow's misery, without this: whereas hereby the present day may be made the better for yesterday's error. Now, that you and I may be helped to a profitable reflexion upon what is past, and improve it to its just advantage, the Lord hath been pleased, in this common and unconcerned supor of many, to put it upon the heart of a servant of his, to whom he hath given dexterity of hand for the undertaking, to give you and me the following history, and account of one particular emergent in the sad history of our time, which hath been followed with the most dismal and dire effects of any thing that hath befallen our poor church, and the precious remnant therein, since the holy Lord was pleased to give us up into the hand of such as have, with violence and rage, overturned that blessed and beautiful fabric, reared up and erected amongst us by him, who dwelt in, and made our souls glad in his house, while we walked with him, and he dwelt among us.

If this History and account be carped at and cried out against by some, that must be borne with; for our distempers (alas) and distractions are arisen to that heat and height, as he who rebuketh in the gate is hated, and he who speaketh uprightly is abhorred. And yet a faithful and wise servant, seeing how his Lord is wronged, and for what the land is made to mourn, and the church in hazard to be utterly ruined, may not lay his hand upon his mouth, and, to prevent the opening of the mouths of others against him, give up himself to a stupid silence. But whatever some may judge or say of what is here said, and set before us, wisdom will be justified of her children, and I am sure the account given will be refreshful and acceptable to many, who love
the

the truth, and lament these our recessions and declinings from our first love and ways. Oh if I might mix myself amongst the mourners, and those whose souls are melted and poured out in them, in this heart-rending reflexion !

I shall at present forbear to go so far backward as to set before your eye (which may make you and me go mourning to our grave, and ought to be remembered by us for that very end) what was our carriage, or rather, what were our miscarriages, in the day, when the enemy, with displayed banner and open-faced violence, did raze and overturn all. Oh, if he would raise up some to represent us now unto ourselves, according to what we really were in that day ; that so we, for our part, might go mourning to the grave, and the succeeding generations might thereby take warning, and beware to tread our path, or trace our steps, lest, as we have done, they should stumble, fall and be broken.

Leaving therefore this sad subject, I come to make a blunt and abrupt inquiry how did we behave ? What was our posture and practice after we had so stupidly stood by, till we saw the whole work overturned, without offering to interpose effectually to prevent its ruin, or fall with it ? And now, when we ourselves were thrust from the public exercise of our ministry, are we found lamenting after the Lord ? Are we found lying in the dust, loathing ourselves in the remembrance of the sad and soul-afflicting ruin, which fell under our hand ? Is there now a corresponding how to excite one another unto the first love, and to the first works of the church of Scotland ? doth the sorrow of every man's soul look out at his eye, while he beholds the desolation of the sanctuary, the mountain of Zion laid waste, and the foxes walking upon it, and considers how he hath not only outlived the departing of the glory, but must, if he see, and lay to heart what hath been in his hand, carry his own tormentor about with him, as having by his conniving, or a cowardise unworthy of the spirit of ambassadors for Christ, contributed to the advancement of the enemy's desperate design ? Do we now meet, and set days apart alone and together, on this very design, to mourn, to pour out our hearts before him, to weep upon him, importuning him, and praying with all manner of prayer and supplication for light, for life, for zeal, for courage ; that as being strengthened with all might, according to his glorious power, we might be in case to stand and withstand, in so evil a day, and having done all to stand ? Did we, as knowing from what was past, and as not ignorant of his devices, plead with our Lord, that we might not be left nor led into temptation ; but that we might be upheld in our integrity, and helped upon all hazards to witness our soul abhorrence at the ways of these turners aside, and overturners of the work of God ? Did we, as faithful ambassadors of Christ, fixedly loyal to our

exalted Prince; or as true lovers of the soul interest of those, who by their way had witnessed there was no fear of God before their eyes, yea, that they had forgotten, or delete the apprehension of that eternal God who is above them; and so in the madness of their apostacy, without all enquiry or care, whither that way did lead them, or where it would land them, run as enraged upon the bosses of the buckler of God Almighty? Did we, I say, deal plainly with the men of these abominations, these prodigious wickednesses, these hateful and heaven-daring practices? Did we beseech, obtest, exhort, yea, and with an ambassador-becoming boldness charge them, in the name of the living God, to return, as they would not be turned into hell, for these their treacherous turnings away from him, and transcendently wicked turnings against him? Nay, alas! whatever were the secret mournings, the sorrowings, the grievings of some, which, I hope, are on record in heaven; yet, the first thing that is heard of in others, after an interval of shameful and sinful silence, is a fearless making and meddling with the stated enemies of the work of God, even while breathing out a keenness of cruelty against the more zealous faithful ministers and professors, and this fearless meddling (ere mourning over former unfaithfulnesses and miscarriages had gone before; ere brethren, equally concerned in the case, and on whom the care of the church did equally lie, yea, and of some of them I may say, were no less earen up with the zeal of his house, than the consulters were consulted) produced this that fatal Indulgence; and, to use the Vindicator's phrase, (which he in using, upon the occasion and account he makes use of it, to detestation abused) *hinc illa lachryma*.

Alas! what else but a further defection could be expected, as the issue and result of these meddlings, betwixt, (on the one part) not only the chief instruments of all these incumbent calamities, but men set upon this mischief, how to destroy by dividing, and ruin by their methods, beyond hope of an escape or recovery, the poor remnant, and root out the remembrance of that people and party, whom in their thoughts, desires and designs, they had devoted to destruction. And (on the other part) whatever the men had formerly been, or still were; yet I must say it (and let none mistake me so far, as if I intended hereby to reproach or reflect; far be it from my soul; for while I am constrained to mention it, I desire to let my ink drop out of my pen here, with a wrung and wound heart; and to write as knowing what I now say must meet me at the tribunal; nay, I would forbear to say it, if I did not believe it should meet me there, if I smothered what I am now about to say, in a truth-prejudging silence) men in as ill case to have made or meddled in the concerns of Christ and his church, with the men with whom they had then to do, in their circumstances, as ever any godly men in our church were. I desire not

to be put to the unpleasant necessity of dilating this further ; nor, if necessity be laid upon me, (since it is the pure interest of truth I desire to aim at, without respect of persons) shall I decline it, though for that I should be yet more vile.

Now, as foregoing untenderness and declining had paved the way, and prepared us for this new step of further defection ; so this wretched Indulgence hath had the most deplorable and dismal effects ; and if the Lord do not graciously deliver his servants and church from what it tends to and threatens, it is like to be and prove more fatal to the poor languishing remnant, than any step of defection, to which ever any godly men were left, in the church of Scotland. The history of its effects and of the bitter fruits it hath produced (which will make it the just hatred of posterity : as well as it is the grief, sorrow and lamentation of many serious souls in the generation) is not at present my business ; all I have to hint at this time, in reference to it, shall be shortly this. That however I do not offer to make an addition of arguments (for that were superfluous, considering what the author of the following discourse hath so nervously adduced) yet let me address myself without offence ; not as an acute disputant, but as a poor blunt, plain, open-hearted wellwisher to the work and interest of Christ, to my indulged brethren (not a few of whom are dear to my soul ; and, I hope, though they should both despise me and despitefully use me, shall be so) in a few plain questions.

Now then the Indulgence is embraced, and thanks to the givers are rendered by the takers. I ask therefore, *First*, If they could, after this their acceptance and giving of thanks to the council, have withdrawn from that appearance, and sisted themselves before Christ Jesus, the King of his church, and with a sweet serenity of soul have had confidence to offer their thanks to him, for being helped to witness a good confession against the wickedness of this invasion, made by the overturners of his work, upon his royal prerogative, who built the house, and must bear the glory ; for it was either then or never, that it was to have been done ? *Secondly*, Let me ask, are they so very clear and confident in the case, as they can, not only in dealing with men, hold up their face and affirm, without hinc or hesitation, that this is their rejoicing, even the testimony of their conscience ; that in simplicity and godly sincerity, not with fleshly wisdom, but by the grace of God, they have had their conversation before all men, and more abundantly towards these backsliding rulers, before whom they appeared, now declared enemies to the work of God, and invaders of his throne and prerogative : But are they also content to be carried before the tribunal of Christ, with this acceptance from those, who have exautorat their Lord and Master, in their hand ; and to have the quality of their love to the coming of his kingdom,

dom, and their loyalty to Christ Jesus, now opposed and put from the exercise of his royal government by the party indulging, in this very Indulgence, tried by such a test? It were fit, sure, to think on this, and lay it to heart; for each receiver may lay his account with it, that soon or syne he shall be put to it. *Thirdly*, Let me ask (though I put it out of doubt, they do, and far be it from me to think otherwise) whether they believe that Christ, who purchased his church, and bought his crown with his precious blood, lives also to make intercession, and to plead his own purchase, and procure, by virtue of the price he paid, the execution of the written vengeance upon all, who will strive with him for state and supremacy in ordering the affairs of his house, the church of the living God; or who will, in their desperate daring and rage, revolt and exautorat him by their law (which is a legal and explicit bursting of his bonds, casting away his cords from them, and, in contempt of, and contradiction to the Christ of God, a formal taking of his house in possession) as our rulers have done; to the outdoing, in this affront to Jesus Christ, all that ever went before them; or as if they were resolved never to be outdone by any who should come after them, in a coping with the Mediator, and a downright denial of him to be King (for now they have put Cæsar in his place) sure, the indulged brethren neither can nor will deny this? Then they must give me leave to assert and subsume (what hath been as oft upon my soul, as I thought upon their carriage at that appearance) yea, if they speak consequently to the supposed concession, they must agree with me in it; that with the same objective assurance, I believe the right that Christ hath bought, to be sole and supreme, in regulating all the affairs of his own house, to have none to share with him in the autocratic, architectonic and magisterial power of making laws, to oblige the conscience of his subjects, nor to be in case to give a ministerial power besides himself: And as I believe the firmness of the stipulation betwixt Jehovah and his Anointed, to secure unto him his throne, and take vengeance on all his adversaries; and as I believe he lives to make intercession, so I must believe also that, at that very instant, when the indulged stood before the council, and by their mouth made such a harangue, the Mediator, who is set down at the right hand of God, was interceeding and pleading by his blood, by his wounds and passion, for the execution of the purchased and promised vengeance upon such, who by the complex of this very deed, in a defiance to the everlasting decree, whereby his throne is established, declared they had taken unto themselves his house in possession. Ah! my dear brethren, can the thoughts of such a discord and discrepancy betwixt his intercession in heaven, and your haranguing on earth, enter into your soul (and I give you the defiance to enter into the serious thoughts of the matter, and hold

hold them out) or be reflected upon without terror, trembling, confusion of face, shame and astonishment.

Now, my reverend and very dear brethren, may I not, upon this occasion, make bold to fall before you as prostrate, and with the tear in mine eye, (for I have confidence to say it, I scarce see my paper, while by my pen I make this address unto you) humbly and earnestly beg of you, request, beseech and obtest you, for your blessed and glorious Master's sake, who is now crucified again amongst us, from whose head the crown is taken; for his church's sake, whereof he hath made you ministers, and so magnified you amongst men, in sending you into the world, under the character of his ambassadors; for your poor broken-hearted and bleeding brethren's sake, as ever you would be amongst the restorers of our breaches; as ever you would again be as some of you were in times past, as the chariots and horsemen of Israel; as ever you would wish to be brought again to keep his courts, and to judge his house; and, when that work is over, to have a place amongst them that stand by; as you would not be the occasion of the rupture and utter ruin of the small remnant (for God and all good and understanding men will resound this distracting and remnant-destroying division, that is amongst us, upon this Indulgence); as you tender the good of the posterity, and would give an unquestionable evidence how intensely you desire that Jesus Christ may reign and rule without a competitor, when you are gone; as you love to live at peace with God, and enjoy, as feeding pastors and faithful witnesses to your Lord, a sweet serenity of soul? Nay, as ever you expect to go off the stage in good terms with God, and have your Master's welcome, of *well done, good and faithful servants*, and be enrolled, when you are gone, amongst the confessors of his name, and holders fast of the word of his testimony, and such as had obtained mercy to be valiant for the truth: Let me, I say, upon all these, and many other accounts, make bold to beseech you, without more debate, without more delay to deliver yourselves; to deliver the church; to deliver your wounded, weeping and overwhelmed brethren; and to deliver the posterity from the snare of that cause-destroying, church-ruining, remnant-dividing Indulgence. Do not say, I would wheedle and fool you into an irrational implicitness, or bogle you into a relinquishing of what you have embraced, with a parcel of words, wherein is nothing to convince you of the evil of what you have done. Read but the following history; and if, as in his sight, without prejudice or mind-occæating passion you peruse it, I am not without hope, but you will suffer yourselves to be overcome (which will be one of the greatest victories you have ever obtained,) into a compliance with the humble and earnest beseechings, not of your poor brother only, but of many, who are presenting you to God, and dare

dare seek nothing for you till this be obtained. Do not offend at this last word ; for, if it were my last, I must confess unto you, I have never had confidence to seek any thing for you, since you embraced that Indulgence, save this ; and I know, you have, since that day, been much out of the prayers of many serious persons, to whom you were, and yet are, dear, which hath been none of your advantage ; yea, whatever use you may make of it, yet fidelity to you put me to use this freedom, that I have not only found myself in fetters, but I have observed more fervent, judicious and gracious persons, to whom it was a case of conscience ; yea, who had no confidence to present you to God, as a part of that suffering remnant, for whom they essayed to pour out their hearts before him, whereat you will cease to wonder, when you consider that to them, the Indulgence was a defection. But if the following history prevail not with you, yet let the history that God hath written against that acceptance do ; least he impose the necessity upon some to transcribe it, and set it before your eye, for your further conviction, and a caution to posterity. But to close this, give me leave, dear brethren, to say this one word more ; that often, under my sinking soul-anguish and sorrow, because of this Indulgence, and its woful effects, I have with an anticipate complacency essayed to allay the sharpness of my sorrow, and to flatter myself into a cheerfulness in the pleasant expectation and hope, that amongst the indulged themselves, amongst so many godly men, there was more than a *may be* of hope, that the Lord would pitch upon some of these, and make use of them, to discover, with more conviction and advantage, the evil of this Indulgence, than any else is in case to do : Blessed shall that man or these men be ! And O that I may not be disappointed in this expectation !

I know the following history will fall under the severe censures of many, and not a few will be ready to cry out against it, (who shall never be able to answer its reason, but by clamour) as unreasonable ; I grant indeed, that it is the great qualification of writing and speaking, that it be seasonable ; and it is also the great commendation of hearers and readers, that they have that wisdom of heart as to discern both time and judgment ; for as a word in season and fitly spoken is like apples of gold in pictures of silver ; so it is a rare thing, especially in a declining time, to be in case to judge what is truly such, and, as having escaped the mistakes arising from preconceived prejudices, to approve that which is more excellent ; but whatever prejudice may prompt some to say ; yet what is said by this wise reprover will be found and entertained as an ear-ring of gold, and an ornament of fine gold unto an obedient ear. And for my confidence in commending it, as a word in season unto the reader, I render these reasons. *First,*

If men consider the hainousness of guilt, which the author hath clearly demonstrated to be wrapped up in, and inseparably connected with this Indulgence, they will rather say, Alas, he hath been too long in coming, to make a discovery of its iniquity; than complain as if he had come too soon. *Secondly*, If men take it up in its true nature and tendency, and consider impartially the quality of its defection, according as it is here held forth, if they speak their soul, they must say, That a standing testimony against this evil is of more value and worth, than all of us are, when sold out of the ground. *Thirdly*, It will not fall under the censure of unseasonableness by any, except such as do either downright plead for the Indulgence and defend it, or else connive at it, as an *aliquid nihil*, not to be regarded; and it is to me, and, I hope, will be so to many, in regard of such, that the one may be cured of their confidence and the other of their indifferency and detestable neutrality, a word in season. *Fourthly*, Let this silence the clamours about its unseasonableness, and satisfy, yea plead the indispensable necessity of it, at this time, That the indulged brethren have of late been more hot and high, than formerly, even to the threatening of men into a silence at its defection, by boasting us with a vindication of the lawfulness of their acceptance; and therefore, as to them, it ought to be justly reckoned seasonable. *Fifthly*, Because somewhat hath been of late done even by the non-indulged, not only to the strengthening of the hands of the indulged, and giving them new confidence in their course, *in obliquo*, by covering all, and carrying towards them, as if they had done nothing amiss, but upon the matter (for it is beyond my shallow capacity otherwise to interpret or understand the deed) by a direct homologating of that Indulgence; for now silence, as to all speaking against this evil, is made the very door and porch thro' which all the Intrants to the ministry must pass. I hope, they will not alledge that this is misinformation, for now we have it under their own hand; and the breach of this engagement is brought and laid down as a ground, upon which a young man is challenged: And therefore 'tis now simply necessary, yea, more than high time to discover and detect the blackness of its defection, when the church is thus brought in bondage by it. *Sixthly*, The severe insulting over some of the poor remnant, who cannot forbear to witness their abhorrence at it, and dare not dissemble their hatred of it, constrained the author to give the world this account, to convince them, how little reason the one party hath to insult thus over their poor brethren, and how little cause the other have to be ashamed of witnessing their dislike. *Seventhly*, Because it hath been often and still is objected to us, that we have made a hideous hue and cry after it, as a thief, but neither would nor could render a reason, or prove it to be a coming in, not by the right door,

but a climbing up another way: And therefore, the interest of truth constrained the author to give them and the world such a plain and public account of the reasons of his just satisfaction, as may abide *ad futuram rei memoriam*. And *Lastly*, Because there is a *may be* of hope, that as some at least of these godly men indulged may be hereby taken off. and all of them made more sober, and less violent; so it is much more to be hoped, that the non-indulged will henceforth more seriously consider what way to deliver the church from this evil, their brethren out of the snare, and how to keep themselves free from the transgression of giving this evil any interpretative countenance; (for if God put it upon their heart to apply it, the plaister is in their hand, *viz.* A just discountenancing of this as a defection.) And withal, that they will henceforth appear more friendly towards the real lovers of them and the cause; and holders fast of their integrity, and less severe against such, who ought to be countenanced, cherished, and encouraged for their uprightness in hating the supremacy, as the spring, and all the streams that flow from that corrupt and cursed fountain: and hereby shall they have better access, when real affection and tenderness upon these accounts is witnessed, to curb or cure these excesses, which are not inseparable from, yea, incident to the zeal of the best of saints out of heaven; for it is there that our fire will want smoke. Dear brethren, I shall detain you no longer from perusing this History. And that you may in calmness and without prejudice consider what is said; and that the Lord God himself may, as in all things, so in this thing also, give you light, is for you the soul desire of,

Your poor afflicted brother,
and wellwisher,

T H E
H I S T O R Y
O F T H E
I N D U L G E N C E.

AFTER the unexpected alteration (which proved indeed a convulsion, falling out so suddenly) that came upon the church, after the king's restoration; when, beside many other sad passages, (and too many here to be commemorated) the memory of which may make tears trickle down from our eyes, so many of the able, painful, faithful and successful labourers in the vineyard of the Lord were, by an act of council, at Glasgow *anno* 1662, put from their work, and by violence thrust out of the vineyard where the Lord had set them to labour; even to the number of three hundred and above. Nor was it enough to the rulers to banish all those, by an act, from their own parishes; but, to make this banishment yet more grievous, and the life of those faithful servants of Christ yet more bitter and less vital, they thereafter did command them to remove from their own parishes twenty miles; six miles from a cathedral church; and three miles from a borough. After (I say) this surprising and astonishing blow, tending so directly to the overthrow of the Lord's ministry, in that church, and the introduction afterward of abjured prelacy, whereby the church became suddenly filled with a swarm of locusts; and the many acts made to enforce a compliance among the people with this defection, and actual conformity thereunto, and that so violently and vigorously, as even simple withdrawing was made seditious and criminal, and severely punished: the ejected ministers began to think with themselves, that this tyrannical ejection did not, nor could not, unminister them, or make them no more ministers of Christ, so as they might not preach the gospel, wherever they were, as ambassadors of Christ; but, on the contrary, they saw that they lay under the wrath and displeasure of God, if they should not preach Christ; and that a necessity was laid upon them, yea, and wo was unto them, if they preached not the gospel; according to that, 1 Cor. ix. 16, and they observed

likewise, that the necessity was now great, yea greater than ever, upon many accounts: And on the other hand, the people being more and more alienated from the swarm of curates, as being not only prodigiously profane, and lascivious, vain and ignorant, (enough to demonstrate that they were never the authorized messengers of Christ) but also highly guilty of perjury and defection, in their compliance with, receiving their commission immediately from, acting in subordination to, and by a power derived from the abjured prelates, contrary to the word of God, the primitive pattern and our own reformation, confirmed by oaths, solemn vows and covenants; and being sensible of an obligation still lying upon them to own the outed ministers, as the faithful servants of Christ, and therefore under a necessity to hear them, and to receive the ordinances of Christ, as dispensed by them: both the one and the other saw themselves called to some other exercise, both to testify their adherence to their former avowed profession, their abhorrence of the abjured re-introduced prelacy, and their willingness to keep Christ, in his pure ordinances, in the land.

Wherefore not a few of the more serious ministers bethinking themselves, and considering the many obligations lying upon them to preach, and to be instant in season and out of season, and considering the urgent necessity, and withal the chearful readiness and willingness of the people to hear, saw themselves called of God to preach, as ministers of the gospel, wherever Providence ordered their abode, and thereupon, as occasion offered, preached unto all such as were willing to hear; but at first (that they might as little displease the rulers as possible) only in private houses, and that for the most part, (if not altogether) at such times, when there was no public worship in the public meeting places. A superplus of caution.

But such was the rage of the new installed prelates, and such was their indignation at, and enmity against those outed ministers, and chiefly at and against the work they were about, as knowing that if Christ were kept in the land, and a memory only of him was reserved, they could enjoy no quiet in their usurpations; that they ceased not to stir up the rulers to all extravagancies of cruelty, for suppressing of the innocent, peaceable and harmless assemblings. Hence came severe prohibitions, discharging all such meetings under exorbitant penalties, both upon the masters of the houses, where these assemblies were found, and upon the minister found there

there exercising, and upon all and every one present without exception. Hence were houses forced and searched, and many haled to prisons and several necessitate to escape at windows with the hazard of their lives; officers and spies sent unto, and set in several suspected places, to seize and fall upon such as they found at such meetings, or but suspected to have been there. Whence it came to pass that many, both men and women, young and old, have been dragged to prisons, and there close kept, as if they had been the worst of malefactors, besides several other outrageous and illegal acts of violence and oppression committed against them, contrary to all law, equity and conscience.

The faithful ministers and people, desiring still to follow the Lord, in the duty of the day, and finding so many and so great difficulties, in their assembling in houses, where they were so easily attrapped, and could with so great hazard meet, and with difficulty escape the hands of these burrioies, were constrained at last to keep their meetings in the fields, tho' without all shelter from cold, wind, snow, and rain: Whereupon the rage and fury of the rulers, instigated by the prelates, did break forth into more excessive and boundless flames. Whence came severe acts of council and parliament against the same; and all ways of cruelty imaginable taken to suppress these house and field meetings; field meetings being discharged under the pain of death unto the ministers and convokers, and other grievous penalties unto such as did meet: Which course of severity and rigour hath continued unto this day: but to mention the several steps, methods, means, consequences and effects of this tragedy, would make too long a digression.

It is sufficient for us to notice, that the suppressing of these meetings hath been the butt, at which a great part (if not the far greatest) of the acts and actings of the rulers have been levelled, ever since they began to appear; and the only occasion of so many acts of cruelty, and of enormity in point of justice and legality; they being the only eye-sore of these enemies of Christ and his interest, and that which they had been hitherto, both with cruelty and craft, seeking to destroy, by tyrannical acts and laws, and by more tyrannical and illegal executions; as if these assemblers had been no more lawful subjects, but open traitors, and the worst of rebels. Hence came the filling of prisons with such as were apprehended; the sending of such ministers as were taken into the

Bals;

Baſs; the ſetting of a great ſum of money upon the heads of ſome; liberty granted to ſoldiers to wound and kill, in ſeeking to apprehend miniſters, and to apprehend and trouble any perſon they found on the highways; the ſelling of honeſt people, as ſlaves, unto the French captains, and unto perſons going to America; the baniſhing of the wives and children of the outed miniſters, that were come to Edinburgh for ſhelter, commanding them to diſlodge within the ſhort day prefixed, under the pain of being forcibly ſhut up, or dragged out; the appointment of a major in Edinburgh, with command over the town guards, and a good ſalary for this very end, to apprehend, at all times, all ſuch miniſters or people, as he could find aſſembling together; the outlawing of ſeveral miniſters, and many hundreds of profeſſors, diſcharging all ſupply, were it but of bread or water, or of a night's lodging, to be given unto them, and what not.

In the miſt of all this fury, and after the quaiſhing by blood, illegal and moſt falſely patcht-up forfeitures of ſeveral eſtates, eſcheating and conſiſcating of goods, of that trouble, *anno* 1666, occaſioned through the barbarous executions of illegal commands, againſt ſimple non-compliers with the courſe of prelacy, the king (at whoſe inſtigation, or in compliance with whoſe deſire and requeſt, I know not; but that it was not of God, nor of Chriſt, nor of the Spirit, that I know) eſſayeth other means, and taketh other meaſures; (but all tending unto the ſame deſtructive end deſigned, *viz.* The ſuppreſſing and baniſhing out of the land all theſe memorials of the Lord's covenanted intereſt, and of his preſence in the land, the aſſemblies, I mean, of his ſervants, to ſerve and worſhip him, according to the pure order of the goſpel, after the example of Chriſt and his apoſtles, and thoſe primitive Chriſtians, which willingly followed and heard them) when by cruelty the rulers ſaw they were not able to attain their end, but the more they laboured that way, to ſuppreſs theſe meetings, the greater and more frequent they grew, the crafty device of an Indulgence to ſome certain ſelect perſons of the whole outed miniſters is fallen upon; which if it had been more general or univerſal than it was, had in all probability, proven an effectual mean for attaining of that which they were ſo earneſtly labouring for, *viz.* The extinction of the whole remnant.

Being now to diſcourſe of this Indulgence, as it is called, we ſhall begin where it began to appear; that is at the king's letter

letter to the council hereanent, dated at Whitehall June 7th 1669, which was as followeth.

CHARLES REX,

“ **R**IGHT trustee &c. wee greet you well. Whereas by
 “ the act of council and proclamation at Glasgow in
 “ the year 1662. a considerable number of ministers were at
 “ once turned out, and so debarred from preaching of the
 “ gospel, and exercise of the ministrie; we are graciously
 “ pleased to authorize you, our privie council, to appoint so
 “ many of the outed ministers, as have lived peaceably and
 “ orderly in the places, where they have resided, to returne
 “ to preach and exercise other functions of the ministry, in
 “ the paroch churches, where they formerly served, (provid-
 “ ed they be vacant) and to allow patrons to present to other
 “ vacant churches, such others of them, as you shall approve.
 “ And that such of these ministers, as shall take collation
 “ from the bishop of the diocie, and keep presbyteries and
 “ synods, may be warranted to lift their stipends, as other
 “ ministers of the kingdom. But for such, as are not, or
 “ shall not be collated by the bishop, that they have no war-
 “ rand to meddle with the vacant stipend, but only to pos-
 “ sesse the manse and gleib; and that you appoint a collec-
 “ tor for these and all other vacant stipends, who shall issue
 “ the same, and pay yeerly maintenance to the saids not col-
 “ lated ministers, as you shall see fit to appoint.

“ That all who are restored, or allowed to exercise the
 “ ministrie, be in our name and by our authoritie enjoined,
 “ to constitute and keep kirk-sessions, to keep presbyteries
 “ and synods, as was done by all ministers before 1638. And
 “ that such of them, as shall not obey our commands in keep-
 “ ing presbyteries, be confined within the bounds of the pa-
 “ roches, where they preach, aye and while they give assurance
 “ to keep presbyteries for the future.

“ That all, who shall be allowed to preach, be strickly en-
 “ joined, not to admit any of their neighbour or other pa-
 “ roches unto their communions, nor baptize their children,
 “ nor marry any of them, without the allowance of the mi-
 “ nister of the paroch, to which they belong, unless it be va-
 “ cant for the time. And if it be found upon complaint
 “ made by any presbytery to you, our privie council, that the
 “ people of the neighbour, or other paroches, resort to their
 “ preachings, and deserte their own paroch churches, that
 “ according

“ according to the degree of the offence and disorder, you
 “ silence the minister, who countenances the same, for shorter or longer time, or altogether turne out, as you see
 “ cause. And upon complaint made and verified of any seditious discourse or expressions in the pulpit, or elsewhere,
 “ uttered by any of these ministers, you are immediately to
 “ turn them out, and further punish them according to law,
 “ and the degree of the offence.

“ That such of the outed ministers, who live peaceably
 “ and orderly, and are not re-entered, or presented as aforesaid, have allowed to them foure hundereth merks Scots,
 “ yeerly, out of the vacant churches, for their maintenance,
 “ till they be provided of churches. And that even such,
 “ who shall give assurance to live so, for the future, be allowed the same yeerly maintenance.

“ And seeing we have by these orders, taken away all pretences for conventicles, and provided for the want of such as are, and will be peaceable: If any shall be found hereafter to preach without authoritie, or keep conventicles,
 “ our express pleasure is, That you proceed with all severity against the preachers and hearers, as seditious persons, and
 “ contemnners of our authority. So leaving the management of these disorders to your prudence, and recommending
 “ them to your care, we bid you farewell. Given at our
 “ court, at Whitehall the seventh day of June. 1669. and of
 “ our reigne the 21. yeer, by his majesty's command

“ LAUDERDAIL.”

“ Ere we proceed, it will not be amiss to set down here some few most obvious remarks, to the end we may come to understand better the nature and true import of this Indulgence, whereof this letter is the ground and basis. And,

1. We see it is said, *That by the act of council, and proclamation at Glasgow an. 1662. a considerable number of ministers were at once turned out; and so (N. B.) debarred from preaching of the gospel and exercise of the ministry.* Whence we cannot but observe, that those ministers, who were by that act at Glasgow banished from their parish churches, were not only debarred and hindered from preaching of the gospel, and exercise of their ministry in their own congregations (which could not but follow by an inevitable consequence), but in the sense and meaning of the court, they were by virtue of that sentence debarred from, and incapacitated for preaching

ing of the gospel, and the exercise of the ministry, any where; and so according to the meaning of the civil magistrate, emitting this edict, these ministers were *simpliciter* deposed from their ministry, and looked upon as men having no longer power or warrant, before God or man, to preach the gospel, or dispense ordinances, as ministers thereof. Whence it followeth, that the Indulgence (as it is called) is a full and formal opening of their mouths again; and (as to some) a reponing of them, according to the meaning of the indulgers; who doubtless will not say, (whatever the plain language of their practice be) that they have power to countermand what God hath commanded, or to discharge such, from serving Christ in the ministry, as he hath strictly enjoined, and that upon all highest peril, to serve him so; but they think they have power from God, to silence ministers from preaching when they will; and again to open their mouths, and grant them liberty to exercise the ministry, as they see good; and that the Lord authorizeth what they do; and so they do but what church judicatories were in use to do formerly, or prelates yet do, as to such who are under them.

Here then being a full, formal, and judicial power granted to such as were, in the court's judgment, put from their office, deprived of and debarred from the liberty of exercising the same, or any part thereof, to re-enter into the full and free exercise of the same; it appeareth to me to be undeniable, that the accepters of this Indulgence have, upon the matter, assented unto this grievous incroachment upon the privileges of the church of Christ. Our church never thought it competent to the civil magistrate to depose ministers from their office, or to suspend them from the exercise thereof. Let the second Book of Discipline be viewed; the CXI Propositions be considered; the Propositions for Government be looked upon; our first or second Confession of Faith, or the late Confession drawn up at Westminster be pondered; the writings of our worthies, Mr. Rutherford and Mr. Gillespie, be read; yea, let all our public proceedings, and the whole tenor of the public actings of our church be remembered, and it will be seen that the granting of this unto the magistrate is point-blank contrary unto all these; yea, and to all the writings of the orthodox anti-arminian, anti-erastian divines.

But I know it will be said, That the receivers of the Indulgence cannot help what the magistrate saith; they know what themselves think; and as they did not look upon themselves

as deposed, when banished from their own parishes, as appeared by their preaching elsewhere after that sentence; so they grant no such power now unto the magistrate: Yea, when some of the indulged were some years thereafter called before the council, it was said roundly by their mouth, That they had received their ministry from Jesus Christ. But I answer, (1.) Though the indulged could not, could the magistrate speak otherwise than he would; yet they were masters of themselves, and of their own actions; and they had liberty to do and speak that, which before the world might testify and declare, that they did not assent unto that assuming of church power, but on the contrary did dissent therefrom, and protest against it, as a sinful usurpation and incroachment. What public protestation was, I pray, given in against this, first or last? What plain and positive testimony was borne unto the doctrine and practice of our church, in this point, which many of our forbearers did own unto banishment and blood? (2.) As for that, which was said by the mouth of some of them, (of which more afterward) it was but a poor *salvo*, in the case; because no man breathing, neither magistrate, nor church judicatory, can properly give the ministry; that being proper to Christ Jesus alone: Men only can instrumentally and ministerially convey and apply the power, which is of Christ, unto such or such a person: now I suppose these brethren, who spoke so by their mouth, did not think or mean, that they had their ministry from Christ immediately, without the intervention of an instrumental and ministerial cause: So that notwithstanding of this, by their practice they might and did declare, that the civil magistrate was the instrumental and ministerial cause, lawfully authorized to repon them to their ministry; that is, that all that power of deposing and reponing of ministers, which by our reformed doctrine, discipline and practice, hath been asserted to agree only to church officers and church judicatories, is competent to the civil magistrate, as such. (3.) Further, it may be noticed, that a minister once deposed, or suspended, and now reponed by a lawful presbytery, might say the same, viz. *That he receiveth his ministry from Jesus Christ, with full prescriptions from him, &c.* without the least questioning of the lawful ministerial and instrumental power of the presbytery in that affair: So that it is manifest, that this could not salve them from a real acknowledging the council upon the matter, to have the ministerial power of depos-

ing

ing and reponing of ministers; and that, *de jure*. (4.) It is true, their preaching elsewhere, after their banishment from their own congregations, will say, that in so far, they did not acknowledge themselves deposed from the function; yet it will not help much; for their bypast faithful deportment will not lessen their feint at this time, but rather aggravate their ceding, or their silence, at the accepting of this Indulgence, springing forth of such a fountain. Their bypast honest carriage (I speak here upon supposition that they did sedulously preach elsewhere, when thrust from their own charges; tho' I apprehend, it will be found true but of a few of them) should have prompted them now to a plain declaration of their adherence to their former principles, and of their abhorrence of such gross and palpable invasions upon, and usurpation of the power which Christ hath granted only to his church.

2. We may remark that it is said, *We are graciously pleased to authorize you, our privy council, (N. B.) to appoint so many of them, &c. and again, as you shall approve of.* Whence it is obvious, (1.) That all the power, which the privy council had, was from the king, and consequently, that they go no greater length than the king's letter did allow; and that their actings could not juggle with, or cross the scope, intent and design of his majesty's letter; but fully comply therewith in all points, and in all its designs. So that, when any doubt ariseth anent what the council did, we must, for obtaining satisfaction and clearness, have our recourse to this *primum mobile*, the spring and principle of this motion, and the ground and basis of the council's actings: Yea, we must interpret the actings and deed of the council by this letter, which was their *ynosure*, by which they were to direct their course, and their rule and ground of acting. (2.) It is obvious also, that that power, which they are authorized to exercise, is a power to appoint such and such persons, as they think meet, and shall approve of, to go to such and such places. It was not then a command given, or power granted to recal the act of Glasgow, whereby the ministers were banished from their charges; but a power to meddle with pure church matters, and that immediately; that is, to judge and cognosce of the qualifications of ministers, and so to approve or not approve of them; and a power of installing such as they approved of, in such places as they shall think meet, and none else. These things are plain. And it is manifest, that there is herein a plain, clear, palpable and gross incroachment on the liberties of the church,

church, and on the power granted to her of the Lord Christ Jesus, as no man will deny, who is not a stranger to the word of God, to the principles of presbyterian government, and to all the acts and actings of our church from the very first reformation from popery. Wherefore, seeing it is known, that in this case, *qui tacet consentire videtur*, he who is silent, is construed to consent: And it hath been always accounted in our church (and so is also by the word of God) a sinful compliance with a wicked course, not to give faithful, free and timeous testimony against the same; it is undeniable, that these indulged persons, accepting this Indulgence, conveyed through such a channel, and flowing from such a fountain, as is already shown, have not only fainted, as to their duty, but are interpretatively assenters unto this usurpation.

3. The qualification of those who are to be restored to the ministry, is here also to be remarked, in those words, *So many of the outed ministers, as have (N. B.) lived peaceably and orderly, in the places where they have resided*. I shall be far from saying, that ministers should not live peaceably and orderly; but we ought to consider, what is accounted, living peaceably and orderly, by such as propose this qualification: And that sure, to speak it in the smoothest of terms, is a negative compliance with all their tyranny; oppression of church and country; bloodshed; overturning of the work of God; establishing iniquity by law; perjury, apostacy; re-establishing of perjured prelates, and abjured prelacy; intruding of hirelings; persecution of conscientious people, for not acknowledging of these hirelings as lawful ministers of the gospel, &c. That is to say, have been very quiet and silent, as to the bearing of faithful witness unto the cause of God, and the work of reformation, according to our solemn oaths and covenants; and have been loath to transgress any of their iniquitous laws; and careful to walk and carry so, in all their deportment, as not to displease them in the least. Now I would think that this very thing should have been enough to have scared tender conscientious persons from accepting this Indulgence. What son of the church of Scotland could have accepted of a favour, in the bosom of which lay this reproach? Who could have accepted of this Indulgence, and not withal openly have thereby declared, that he was one of those peaceable liver, for whom it was designed, and upon whom in special, as such, it was to be conferred? And however this peaceableness and orderliness was accounted a good qualification

tion by the rulers, and a satisfactory mark unto them of the fitness of these persons, for receiving of their favours, and a sufficient ground of security unto them, that these persons would not stand in the way of their further destructive progress, nor mar them in their further pernicious designs: It seemeth strange to me, that conscientious sons of the church of Scotland, should have suffered themselves to be looked upon, with such a special eye of favour by those enemies, and to be distinguished from others by such a character, as in our good times, and according to the wholesomé canons of our church, would have exposed them unto the highest of church censures. Had they not then a fair occasion here, yea, and a loud call, to vindicate themselves from this aspersión, howbeit esteemed, judged and declared the prime and indulgence-procuring qualification by the rulers; and to have borne witness unto the truth of God, if their desire to the offered favour, and love to that esteem with the rulers, had not been too excessive and prevalent?

But there is another thing beside remarkable here, *viz.* That here we see the magistrate assumeth to himself power to prescribe, to determine and to judge of the necessary qualifications of ministers, or of their qualifications *sine quibus non*. And moreover, that the accepters of the Indulgence after this manner, did, upon the matter, and interpretatively, give their assent to, and approbation of these two things. First, That the magistrate, as such, hath power to prescribe, to specify and to declare what are indeed, and what he will have to be looked on, as the only qualifications necessarily requisite in ministers. And next, That the qualifications, by him here specified and expressed, are the only qualifications necessarily requisite in ministers: And consequently, that the apostles and primitive ministers, who neither could nor would have lived so peaceably in reference to the heathen emperors, and their wicked decrees, when no more repugnant to the interest of Christ and of the gospel, than the decrees and executions of our rulers have been, were not rightly qualified for the ministry. Add to these, that hereby they acknowledged themselves to be duly qualified after this manner, that is, to have been and yet to be such (and that deservedly, after the court construction) as have lived peaceably and orderly, in the places where they have resided.

4. There is another remark in the letter obvious, where it is said, *That such of these ministers* (i. e. who are indulged)

as *shall take collation from the bishop of the diocese, and keep presbyteries and synods, shall be warranted to lift up their stipends, as other ministers of the kingdom. But such as are not, or shall not be collated, shall have no warrant to meddle with the local stipend; but only to possess the manse and glebe, and shall have such a yearly maintenance as the council shall think fit to appoint out of the vacant stipends.* Though this, at the first view, may not seem very material, yet it will have its own weight, when we consider these things following. (1.) That the law of God alloweth such as serve at the altar, to live by the altar; and that the very ox, that treadeth out the corn, should not be muzzled; and that the labourer should have his hire; and we see 1 Cor. ix. Gal. vi. 6. 1 Tim. v. 17, 18. And that all equity and reason requireth, that the benefice should follow the office, as an accessory and consequent thereunto. (2.) That minister's stipends are a part of the church rents and emoluments; and are as proper and due unto the ministers of the gospel, who serve in the place, as the rents of any man's heritage is to him who enjoyeth it; these being irrevocably given away and dedicated to the church, and the said donation confirmed and ratified by law. (3.) Our second Book of Discipline, approved in all points by the general assembly, prescribed other collectors of these stipends, or of the church rents, than such as the king or council should name, and that in conformity to the word of God and primitive pattern; as we see chap. ix. where, speaking of the patrimony of the kirk, and the distribution thereof; and after they have told what they mean by the patrimony of the kirk, they have these words, "To take any of this patrimony by unlawful means, and convert it to the peculiar and profane use of any person, we hold it a detestable sacrilege before God." And then they add, "That the goods ecclesiastic ought to be collected and distributed by the deacons, as the word of God appoints, that they who bear office in the kirk be provided for, without care or solicitude." (4.) That there is an introduction here made to that, which may ever hereafter prove noxious and hurtful to the church; even way made to the bringing of the ministers of the gospel under perfect slavery unto the state; for hereby we see they must be obnoxious to them, and depend upon them, not only for the quota of their stipend, but also for the actual and yearly payment thereof; for yearly must there an address be made unto the council, or to the exchequer, by every minister for his stipend;

pend; though this be altered now, yet there was no appearance of it, at their accepting of the Indulgence, and several years after. Though this may seem but a matter of small moment, yet we think faithful ministers should have been tender of the least thing, which might but occasion, or usher in bondage and slavery to that poor church, which hath had a wrestling life, what for one thing, what for another, from the very beginning: And sagacious persons might easily have foreseen whither such a course as this did tend. And hereafter the state should lay down such a course as that, in all time coming, all the stipends through the land should be uplifted by general collectors, thereto appointed by them, and given out by these again, to such as, and in what quantity the state shall think fit, and so make the ministers become their slaves, and to depend upon them, as if they were their domestic servants and hirelings, (the inconvenience of which upon many accounts cannot but be obvious to any considerate and judicious person) whom had we to blame as first breaking the ice in this matter? And was there not here ground enough to have refused this favour (as it is accounted) thus conveyed; and to have declared, they would choose rather to preach gratis, than any way contribute unto the laying of such a yoke upon the neck of the church of Scotland?

Further, see we not here, that such a snare was visible before their eyes, that either they should accept of collation from the prelates, and so acknowledge their dependance likewise on them, and confirm these perjured invaders, and comply with abjured prelacy; or otherwise become the council's pensioners, which did tend to a manifest prostituting of the credit of the ministry, and to the obstructing of ministerial freedom and faithfulness, in declaring the mind of God, as becometh the ambassadors of Christ?

5. The next think to be remarked, is the injunctions here laid upon the indulged, which are expressed in the letter at some length. Which injunctions either are lawful, or unlawful. If they be lawful, then, (1.) They must obey them without any hesitation. (2.) Then they must acknowledge the conformable clergy, as they are called, to be lawful ministers of the gospel. (3.) And that it is lawful to keep the prelate's courts and meetings; and thus condemn themselves for not doing so formerly. (4.) Then the people are also obliged in conscience to own and acknowledge these hirelings, as lawful ministers of the gospel, whom they are called of God.

God to hear and obey. But if they account these injunctions unlawful, how could they, by their silence, and accepting of the Indulgence upon these terms, tacitly approve of the same? To say, that they did not positively approve thereof, is not enough: yea, their not disapproving thereof openly, plainly, publicly and avowedly, being so stated as they were, and circumstances considered, cannot but be accounted an interpretative approbation; by all godly, sober and rational persons. Nor will it avail here, to say, that these instructions were not proposed condition-ways: for the council, that are both the best interpreters of this letter, and of their own deed, in consequence of and in compliance with the same, tell us, in their act, Aug. 10th 1677, that the Indulgence was accepted upon condition of keeping and observing of these instructions, in these words: "For as much as the lords of his majesty's privy council, did confine several outed ministers to particular parishes, with allowance to preach and exercise the other functions of the ministry within the same; and did (*N. B.*) deliver unto them certain instructions to be kept and observed, upon which they accepted the Indulgence granted to them." And again, after whatsoever manner these injunctions were proposed, yet it is certain, as we see, they were intended so. And if these ministers had expressly told the council, that they would observe none of these injunctions, because they judged the same unlawful, and themselves obliged in conscience to declare the same; shall any think, that the council would have granted them this Indulgence? Had not that been a direct crossing of the design and purpose of the king and court? How should then the people have been amused into a stupid quiescence, and ass-like couching under the burden, and blown up with an irrational and groundless expectation of some desirable change?

It cannot, moreover, here satisfy, to say, that they undertook nothing, but resolved to do, as they found clearness; and when they were not clear to obey, to subject themselves to the penalty. For the council (as we see) offering the Indulgence upon condition of observing the injunctions, when they accepted of the benefit offered on those terms, they could not but also embrace the terms, upon which the benefit was offered; and their accepting of the benefit was a plain declaration of their acquiescing in and satisfaction with the terms. And further, when they accepted of the benefit, either they accounted obedience unto these injunctions lawful,

or unlawful. If they accounted it lawful, why were they so disingenuous as to simulate some hesitation, when they were clear and certain? This was not the carriage of faithful and zealous servants of Christ. If they did account that obedience unlawful, why did they not declare so much, especially when their silence, at the acceptance of the benefit so offered, could not but be construed by all, to be a full satisfaction with the conditions? Did not their silence confirm the council of the lawfulness of the obedience required to these injunctions? This looked not like the carriage of our worthy forefathers, and zealous reformers. Moreover, what in case the council had likewise enjoined them (after the same manner of way that they proposed the foresaid injunctions) to preach justification by works, the pope's infallibility, or the king's headship over the church, or some such thing? Would it have been fair in them to have come away thanking their LL. for the favour which was bestowed upon them, and satisfying themselves with this mental reservation, *We will do as we shall be answerable, and take our hazard?* Could any have justified them in this, or judged their carriage ministerial? Might not every one have said, that they had taken up their ministry in an unlawful way, not approved of God, and so had run unsest? Finally, Let me ask the reader, if the king or a great nobleman should grant to a person some considerable charge or employment in his family, which possibly the same person had before, but was lately thrust therefrom; and in the mean time should lay upon him some injunctions, which seemed onerous, or not very lawful; could any think that his accepting of the charge and employment, and returning thanks therefore, did not speak out most clearly his acquiescing unto the conditions, his accepting of the charge upon these conditions, and his tacit promise to obey these injunctions, especially since he made no exceptions against them, when mentioned and proposed?

6. We remark further that the letter saith, *That none of these ministers have any seditious discourses or expressions in pulpit, or elsewhere.* And what is understood here, by seditious discourses or expressions, we cannot be ignorant? But now, what conscientious minister can either tacitly promise such a thing, or upon the highest peril forbear to utter such discourses? Or who can think, that any such thing can be yielded unto, who considereth what God requireth of ministers, in reference to a corrupted and apostatized state? and what the weight of the blood of souls is? and who hath ever read Ezek. iii 17, 18, 19, 20, 21, 22, and xxxiii. 7, 8, 9, 10. and considered what a

fearful thing it is to fall into the hands of a living God? It is true, the council in their act made no mention of this; for what reasons, themselves best know: Yet it is sure, that the king and court expected, that none should have the benefit of the Indulgence, but such only, of whom they had, or thought they had, all the rational security imaginable, that they should be men of other principles, than to utter such expressions. And we may be very certain, that the council, in pursuance of the ends of his majesty's letter, made choice of such as they accounted most peaceable, and of whom they had the least fears imaginable, that they should ever utter, whether in pulpit, or out of pulpit, such seditious discourses and expressions. They took them (no doubt) to be men of a more peaceable disposition, as they called it, and more wise and sober (to speak according to their dialect). But oh, what will after ages say, who shall hear of the king's letter, and what the council did in pursuance thereof; and see also that N. N. &c without the least testimony to the truth, accepted of the offer, and never hear, where or when these persons were challenged, or accused for uttering of such speeches; that is, for an honourable mentioning of the glorious work of God, so miraculously wrought and carried on; and a faithful testifying against the unparalleled perfidy and breach of covenant, and against the most abominable, irreligious, inhuman and tyrannical acts, made for establishing of this wicked course of defection? What (I say) will after ages say, when they compare this with the valiant and zealous deportment of our predecessors, and of some, at least, of these same persons *anno* 1648, and some years preceding?

It will not be a sufficient covering for this nakedness to say, they heard nothing of that while they received the Indulgence: For it is not unlike, but they saw or heard of the king's letter; and the report of such an expression therein should have made them diligent to have got a sight of it, if it was not offered unto them: and their mouth did clearly, in his discourse before them (as we shall hear) intimate, that they were no strangers thereunto. And suppose they had known nothing of this, yet they could not be ignorant, that this was included in their qualifications. And if they should reject all this, as importing no consent on their part; let their practice, since the accepting of the Indulgence, say, whether or not they have regarded that, as the main and only condition. However I think here was ground enough for them to have scrupled at the embracing of this supposed favour.

7. The next thing here to be noticed in the letter, is the power and command which the king giveth to the council, to silence those ministers for a longer or shorter time, if they disobey these foresaid injunctions; and if a complaint be verified the second time, to silence them for a longer time, or to turn them out (that is, in plain language, to depose them *simpliciter*) especially if they utter any seditious speeches. He must be very blind, who seeth not what height of Erastianism is here: Did ever any of the reformed churches say, that a magistrate, as such, could suspend and depose ministers from their office? Did ever King James assume this power unto himself? See if his declaration, penned with his own hand, signed and delivered to the commissioners of the church of Scotland, at Linlithgow, Dec. 7th 1585, saith so much, though at this time he had got his supremacy in church matters screwed up to the highest peg he thought attainable? Did ever any of our Confessions of Faith, Books of Discipline, or acts and canons of our church, give the power of the keys, the power of inflicting church censures upon ministers, unto the civil magistrate? Did ever our divines (for I except the court chaplains, and parasites, whom I account none of ours) write or say such a thing? Read what Calderwood hath said, in his *Altar. Damasc.* p. 23, 24. and what worthy Mr. Rutherford hath said, in his *Due Right of Presbyteries*, p. 427. and forward; and read that elaborate tractate of Mr. Gillespie's *Aaron's Rod Blossoming*, and see if there be any such thing hinted there? See if the CXI Propositions, or the Propositions for Government, mention any such thing? Now, if these indulged be not Erastian in their principles (as I hope they are not) I cannot see but they are Erastian in their practices: For they, knowing that such a power was assumed by the king, and now given and granted by the king unto the council, whereby they were authorized to put the same in practice, and so to exercise pure and intrinsic church power, that is, inflict pure church censures, suspend and depose ministers: That is, (1.) Not only not to suffer them to preach and administer sacraments, in his kingdom and dominions, (which yet worthy Mr. Rutherford will not grant, in his *Due Right*, &c. p. 430. upon these accounts, 1. Because the king, as king, hath not dominion of places, as sacred and religious; for his power in church matters is only cumulative, not privative; so as he cannot take away an house, dedicated to God's service, no more than he can take away maintenance allotted by public authority upon hospitals, schools, pastors and doctors.

2. The apostles might preach in the temple, though civil authority forbade them. 3. And all know, that he cannot hinder the exercise of the ministry in any other kingdom.) It is not this only, I say, but simply not to preach and administer the sacraments. (2.) It is not only to discharge the exercise of the ministry (which yet Mr. Rutherford, *ubi supra*, p. 431. with Calderwood, take to be a degree of suspension, which is an ecclesiastical degree to the censure of excommunication; and therefore the king may as well excommunicate, and remit and retain sins, as he can suspend:) but it is to take away the very power of order, given instrumentally by the church; if, with papists and formalists, they assert not an indelible character. And (3.) It is the taking away of what he never gave; for he never ordained, nor could ordain, a pastor by any law of God; that is, ecclesiastically design, appoint, set apart, and constitute a qualified person to the ministry, by prayer and laying on of hands; for this was always done by church officers, Acts xiii. 3. and xiv. 23. 1 Tim. iv. 14. and v. 22. 2 Tim. ii. 2. Tit. i. 5, 6, 7, 8, 9.

Doth it not hence appear, that this was a manifest usurpation of the power and privilege of the church? And what can the silence of such as were indulged, as to this, when they accepted of the Indulgence, from such as were, in the very giving thereof, openly and avowedly declaring this their usurpation and incroachment, say before the world, but that they acquiesced thereunto? This matter was not hid under ground: It was plain enough to all, who would not put out their own eyes, that the king was assuming to himself church power, and was robbing the church of her privileges; and to make way for the full accomplishment thereof, did here command and authorize his council to appoint such and such ministers, so and so qualified, to such and such places, as they thought good, with this manifest certificate, that they must expect no church censures to be inflicted on them, for any crime or misdemeanour they shall be charged with, and be found guilty of, but by the civil magistrates immediately; not causatively, that is, causing church judicatories do it, but doing it immediately themselves. Who then can justify them and their practice, in accepting, so thankfully as they did, that Indulgence, without the least word of a testimony against all these open and manifest incroachments; and that at such time, when the design of tyrannizing over the church, in an Erastian way, was so palpable, and might be seen and known of all, who would but open their eyes?

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But there is another thing, which here occurreth : We see here that these indulged persons, are standing immediately under the censure of the civil magistrate, not only for transgressing of the orders and instructions given ; but also (as must necessarily follow) for any other failing and transgression, not specified ; as for example, for fornication, sabbath-breaking, and other sins and scandals, deserving deposition or suspension : For, put the case, that some of them (which yet I have no cause to fear) should commit any such scandal, as did deserve, or was usually punished by suspension or deposition, who shall inflict this censure upon them but the council ? There is no church judicatory having power over them for that effect ; and they are not under the prelates ; and we cannot think that they may commit such crimes, and continue in the ministry ; nor may we suppose that they will suspend or depose themselves.

8. Moreover we must remark here, that the council is to take notice of their speeches in pulpit, who are indulged, and to punish them ; yea, to turn them out immediately, if they be found to have uttered any seditious discourse : By which we see, that the council is made the immediate formal judge of ministers doctrine, for under the pretext of seditious doctrine, they may judge and condemn the most innocent and orthodox truths. No anti-erastian divine will grant this unto the civil magistrate. And though it be true, that the civil magistrate can only and properly judge of what is truly seditious, and can only civilly punish for such crimes : Yet our divines never granted, that the magistrate might *in prima instantia* examine, and judge of ministers doctrine, when alledged to be seditious or treasonable : Nor did our church, in her pure times ever yield to this. Our church history tells us, that Mr. Andrew Melvin, that faithful and zealous servant of Christ, would not answer before the king and the council, for his alledged treasonable discourse in sermon, until he had first given in a plain and formal protestation ; and the like was done by worthy Mr. David Black upon the like occasion, and the protestation was approven and signed by a good part of the church of Scotland 1596. And we know also upon what ground it was, that that famous late martyr for the liberties of the church, Mr. James Guthrie, was questioned, and put to suffer : Now where was there any thing spoken by the indulged, to bear witness to their adhering to the church of Scotland, in this point of truth ? What was said, that might declare their dissent from this piece of encroachment ?

ment? Was not their silence here, and accepting of the Indulgence, in the manner as it was accepted, without any public testimony for the church of Scotland and her liberties, a declaration, that they were willing that all their doctrine should be immediately, and *in prima instantia*, judged and examined by the council; and consequently, that our predecessors in offering protestations, in this case, were to be condemned, and that Mr. Guthrie died as a fool?

9. We remark a snare laid in the letter to catch more: for it is appointed, that *such of the outed ministers, who have lived peaceably and orderly* (here is a discrimination made, no less scandalous to the commended, than dangerous to the rest) *and are not re-entered or presented, as aforesaid, shall have allowed to them four hundred marks Scots yearly, &c.---And that such as will give assurance to live so for the future, be allowed the said yearly maintenance.* Seeing it is not unknown what is properly here understood, by living peaceably and orderly, any may see what a snare is laid here to catch others. But some will say, what is that to the indulged? I think it speaketh very much to them; for had they not accepted of this Indulgence, that temptation had been removed from the door of others, who now, seeing them without any scruple accepting of the Indulgence offered, and granted unto them in special, only upon the account, and in consideration of their being peaceable and orderly livers, are emboldened to take that gracious gift, and accept of that princely benevolence, upon the same account, and gape for a greater morsel, *viz.* A vacancy. And will not others, who are not fast rooted, be ready to engage and give in security, that they may also taste of the king's gratuity; and so sell their conscience and fidelity, at as good a price as they can. And if it fall out otherwise (as I wish and hope it shall) that none shall accept of those baits, under which the hook is so conspicuous; yet no thanks to the indulged, who have so fairly broken the ice for them. I know a scandal may be given, when not taken; and such as give the scandal, are guilty before God of *destroying those for whom Christ died*, Rom. xiv. 15. And that word of our Saviour, Matth. xviii. 6. Luke xvii. 1, 2. Mark ix. 42. is very dreadful, *But whoso shall offend one of these little ones, which believe in me, it were better for him, that a millstone were hanged about his neck, and that he were drowned in the depth of the sea.* I know they will say, they are far from this hazard, having done nothing but what is duty, and necessary duty. But though I grant it an indispensable duty for ministers to
 preach

preach the gospel, and to be instant in season and out of season: yet they might have preached without the Indulgence, as others did, and yet do; and the accepting of the Indulgence was not the only necessary opening of a door to preaching. Nor is it of simple preaching that I am here speaking; and they shall never be able to make it appear, that it is a necessary duty to do as they have done, considering what is already said, and what shall yet further be said:

10. There is another particular in the letter worthy of a remark, and we shall but here name it; and that is, That the council is *to allow patrons to present to vacant churches such ministers as they shall approve of*. Whence it is clear, that without this consent of the patron, which is his real or virtual presentation, the ministers approved of by the council cannot have access unto these vacant churches: Therefore their accepting of the Indulgence unto vacant places, after this manner, is an approving and an establishing of the power of patrons; whereby they did condemn all such ministers, and possibly some of themselves, who formerly had suffered ejection, according to the act of Glasgow, because they had no clearness to accept of this presentation, even though the patron would willingly have granted it, and did of his own accord offer it. Did they not hereby also condemn that laudable piece of our reformation *anno 1649*, when these presentations were abolished, and the people restored to their liberty of electing their own ministers?

11. We may also take notice, that all this contrivance is not in order to reduce our church in whole, or in part, to her former presbyterian state and lustre, or to weaken, or in the least deface, the re-established prelacy, but rather to confirm the same; for in the letter we see these indulged are to be *enjoined, in the king's name, and by his authority, to keep presbyteries and synods*; that is, the prelates meetings, so called; for there was no other. As also encouragement was given unto them to take the prelates collation. So that this contrivance, as it was to gratify a few, so it was to corroborate the abjured prelates, in their possession of what they had obtained, as their *quid mihi dabitur*. And further, they were discharged to exercise any ministerial function towards any of the neighbour parishes, where there were curates serving. Now all these injunctions being manifestly sinful and unlawful, might have sufficiently cautioned them against the receiving of a favour, so strangely clogged with sinful conditions; or at least, prompted them to have remonstrated free-

ly and faithfully all these evils, and plainly declared their fixed averfeness from ever submitting unto these injunctions.

12. The last particular, which I shall remark here, is the result of all this; or that rather which is the end mainly driven at, howbeit couched in words not so manifestly expressive of a mainly designed end. The words are in the last part of the letter. *And seeing we have by these orders, taken away all pretence for conventicles, and provided for the want of such as are and will be peaceable; if any shall be found hereafter to preach without authority, or keep conventicles, our express pleasure is, that you proceed with all severity against the preachers and hearers, as seditious persons, and contemners of our authority.* In the by, we may here take notice, that according to the import and meaning of this letter, no minister must preach either in or out of conventicles, without a borrowed authority from the magistrate, otherwise they are to be looked upon as seditious persons, and as contemners of authority: So that this licence or indulgence was a real clothing of the indulged and licenced (in the sense of the court,) with authority to preach; as if all they had from Christ, conveyed to them by the ministry of church officers, according to this appointment, had been null, and altogether insignificant. Which one thing, in my apprehension, had been enough to have scarred any, that minded to stand unto their presbyterian, gospel and anti-erastian principles, from accepting of licences of this nature, so destructive to the very being of an ecclesiastical ministry, and to its dependence on and emanation from Christ Jesus, the only Head and King of his church, and sole Fountain of all power and authority, communicated or communicable to his servants and officers, as such; and so repugnant unto the methods and midses of conveyance, instituted and ordained by Christ, and practised in the primitive church.

But the other thing, here chiefly to be noticed, is, that as we see this device of the Indulgence was hatched and contrived of purpose, to bear down these conventicles, and to give a more colourable shew of justice in persecuting the zealous conventiclers. It is true, the persons indulged were not of those chiefly, who kept conventicles, especially in the fields; for if so, they had not been such as lived peaceably and orderly: And so the conventicle-preachers were not much diminished in their number hereby; yet it was supposed, that none of those, who lived under the indulged's ministry, would much trouble themselves to go to conventicles, and field meetings;

ings; wherein, in a very great part, their supposition failed not. But now, with what conscience shall we suppose this Indulgence could be accepted, seeing thereby every one might see a further bar and restraint put upon those worthies, who jeopardied their lives in the high places of the fields in preaching of the gospel, and were owned and countenanced of God to admiration, in the rich, yea, wonderfully rich blessing of God upon their labours and ministry, dispensed by the sole authority of Jesus Christ: yea, and those of them who were present before the council, Aug. 3^d 1672, might have seen more cruelty breathed out, by severe orders against those who still followed the Lord, in houses, in vallies, and in mountains, though contrary to the law: For that very same day a proclamation was issued out, commanding all heritors timeously to declare any, who within their bounds shall take upon them to preach in such unwarranted meetings (as they were called) and make their names known to sheriffs, stewards, lords, and bailiffs of the regalities, or their deputies; and all others in public trust, within whose jurisdiction they may be apprehended; and authorizing these sheriffs, &c. to make exact search and enquiry after them, to apprehend and incarcerate their persons, and to acquaint the council of their imprisonment; and requiring the magistrates of burghs to detain them prisoners, till further order; and that under the highest pain: And also declaring that they would put all laws, acts and proclamations vigorously in execution, against withdrawers from the public worship in their own parish churches: And thus was there a new fiery persecution raised, both against faithful pastors and people. May it not be thought, that they had carried more honestly and ministerial-like, when seeing this end and design (which could not be hid) if they had freely and plainly told the council, they could accept of no such courtesy, unless the like were granted to all the faithful and honest zealous ministers in the land; or at least, had declared and protested, that what was granted unto them might be no prejudice unto the rest to preach the gospel, and to be instant in season and out of season, wheresoever and whensoever occasion offered? But now, when nothing of this kind was done, did not they contribute their concurrence unto the establishing of this misse, made use of for keeping down of those assemblings of the Lord's people; I mean the Indulgence? And did they not hereby plainly enough condemn those meetings, when they concurred so actively and

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effectually with the council, and the king's design to have the land freed of them?

I know it will be said, that they could not procure favours to others: it was enough for them to accept of what was offered to themselves. But yet, though they were not master of the magistrate's treasure of indulgence, they were master of their own deed; and I suppose, few of the godly of the land would have blamed them, if they had, out of tenderness to the poor perishing people, and out of respect to their suffering brethren, told the council, that, as matters then stood, they could not accept of that offer, though it had been cleaner than it was, unless all their brethren were also made partakers thereof; or at least, that the house and field preachers might not be molested. This would have looked like the deed of men, respecting the public good, and not seeking themselves, or their own ease and liberty. It would have smelled of brotherly affection, if they had said, We will rather take the same lot with our brethren, than do any thing, how promising soever it be of ease and quiet to ourselves, that may render their case more lamentable and grievous; and may seem in the least, a countenancing, were it but interpretatively, of the severities used against them, or do any thing that may encourage unto more cruelty, and to the prejudging of the far greatest part of the land, of the gospel, now going forth with power.

If any shall say, that possibly they did not approve of that manner of preaching themselves; I shall return, that possibly it may be so, as to some of them, who were therefore looked on as most peaceable and orderly; and shall add, that certainly such must condemn Christ and his apostles, who were the greatest of conventicle preachers, and almost preached no other way, wanting always the authority of the supreme magistrate, and yet not waiting upon their indulgence.

But as to all these things, deduced from the king's letter, it may be, the indulged ministers will think themselves little or nothing concerned, nor obliged to take any notice of what is there said, in regard that the king's letter was not directed unto them, but unto the council; and it was with the council immediately, and not with the king, that they had to do: And therefore are concerned only to notice what the council did, and said unto them, and required of them, and to notice their own carriage again, or return unto the council. For answer I say, It may be so, that they shall thus think, to cheat the world and themselves by such metaphysical abstractions,
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but in our actions before the Lord, and in matters of this nature, so nearly concerning the glory of Christ, as King; and that in a day, when all things call aloud unto a faithful, free and full witnessing unto and for the truth, such abstractions are neither Christian nor manly. The letter was not hid from them, nor the contents thereof unknown to them; for when they were before the council, (as we shall hear afterward) they by their mouth expressed their sense sufficiently of that letter, and took the favour of the indulgence with all humility and thankfulness, as his majesty's royal favour and clemency. Our forefathers used not to carry so, when court favours were pressed and urged upon them, but searched the ground and rise of these, and considered their tendency and consequences; knowing, that favours, granted by standing and stated enemies, could not be for advantage, but for hurt. The spirit of zeal and faithfulness would teach us another more moral, plain and Christian deportment: But though the indulged should be such metaphysical abstracters, contrary to that spirit of wisdom and ingenuity, that should lead all Christians; yet the council dealt more plainly and roundly (as we shall see) and told at all occasions, and in all their acts and resolutions, that what they did was in pursuance of his majesty's commands and royal pleasure, signified in his letter. Finally, This abstraction, though it were yielded to them, will not avail; for though the king's letter had never been seen or heard of, there was enough done by the council and its committee, (of which they could not be ignorant) to have resolved them, if they had not been prepossessed: It was the committee of the council that elected them, that judged them qualified for the exercise of the ministry in such and such places; it was the council that did appoint, authorize and empower them to exercise their ministry; it was the council that did depose and repose, plant and transplant, give injunctions, restrictions, and limitations, and punish for non-obedience, all which will be further cleared in what followeth.

Having premised these few remarks upon the king's letter, as necessary to the clearing of our way, because that was the ground of all; and having, in the by, discovered several things, to shew the sinfulness of this Indulgence, we shall now proceed to mention more particularly what was the progress of this business, and how this wicked design took effect.

The council appointeth a committee to cognosce upon the matter, signified in the king's letter, and to condescend upon the ministers, judged fit and qualified for such a favour, ac-

cording to the mind of the king, signified and plainly expressed in his letter; and upon the parishes, to which they were to be ordered to go and exercise their ministry: Whereupon the council enacteth as followeth.

Edinburgh, 27. July 1669.

THE lords of his majesty's privie council, in pursuance of his majesties commands, signified in his letter of the 7. of June last, do appoint the persons following to preach, and exercise the other functions of the ministrie, at the vacant kirks underwritten, *viz.* Mr. Ralph Rodger, late minister at Glasgow, to preach at the kirk of Kilwinning: Mr. George Hutcheson, late minister in Edinburgh, at the kirk of Irwing. Mr. William Violant, late minister at Ferrie at Cambusnetham: Mr. Robert Miller, late minister of Ochiltree, at the same kirk: Mr. John Park, late minister at Stranrawer, at the same kirk: Mr. William Maitland, late minister at Whitehorn, at the kirk of Beeth: Mr. John Oliphant, late minister at Stanhouse, at the same kirk: Mr. John Bell, late minister at Ardrossine, at the same kirk: Mr. John Cant, late minister at Kels, at the same kirk: and Mr. John Mc-Michen, late minister at Dalry, at the same kirk."

Here we see ten were appointed to the places respectively condescended upon by the council; and some were appointed to preach at the churches, out of which they had been ejected; but this was only an accidental thing, and merely because these churches were at that time vacant, as appeareth by Mr. John Park's disappointment, because the prelate prevented his coming to the kirk designed, which had been formerly his own, by thrusting in a curate, notwithstanding of his pleading the benefit of the act of indemnity, in his own defence, against what was objected against him; and thereby acknowledged himself to have been a traitor in all his former actings, and that all the work of reformation was but rebellion: And there is no difference betwixt the appointment made to them, who returned to the places, where formerly they had preached, and that appointment, which was made to others to go to other churches. The council doth not so much, as verbally signify, the sentence of banishment from their own parishes by the act of council at Glasgow, anno 1662, to be now annulled, as to them, whereby they had liberty to return to their own charges, and follow their work; but simply enjoineeth and appointeth them to go to such a place,

place, and there to exercise their ministry, as simply and plainly, as if they had never been there before: So that the appointment is one and the same, as made by the council, in pursuance of the king's letter; and all the difference, that was in their several orders and warrants, which they received from the council, was in regard of the patrons, and of nothing else; as may be seen by the following tenors of these acts.

Followeth the tenor of the Acts of Indulgence, given to the several ministers to preach, conform to his majesty's letter of the 7th of June 1669.

“**T**HE lords of his majesty's privie council, in pursuance of his majesty's commands, signified the 7 of June last, do appoint Mr. Ralph Roger, late minister at Glasgow, to preach and exercise the other functions of the ministrie, at the kirk of Kilwinning.”

And thus did all the rest of this kind run. The other runs thus.

“**F**orsameckle as the kirk of is vacant, the lords of his majesty's privie council, in pursuance of his majesty's command, signified by his letter the 7. of June instant; and in regarde of the consent of the patron, do appoint late minister at to teach and exercise the other functions of the ministrie at the said kirk of”

Whereby we see that these orders make no difference betwixt such as were appointed to their own former churches, and others who were appointed to other places, so that as to this, all of them received a new commission, warrant and power to exercise their ministry, in the places designed, as if they had never had any relation unto these places before.

Further, it is observable here, that these orders and acts of the council have the same use, force and power, that the bishop's collation hath, as to the exercise of the ministry; and that the ordinance of the presbyteries used to have in the like cases: and therefore this is all the ministerial protestative mission, which they have unto the actual exercise of their ministry in these places. Thus we see the civil magistrate arrogateth to himself that which is purely ecclesiastic, *viz.* The placing and displacing, the planting and transplanting of ministers; and giving them a ministerial protestative mission, which only belongeth unto church judicatories. So that these indulged persons may with as much right be called the council's or king's curates, as others are called the bishop's curates, whom the prelates collate, place and displace, plant and transplant,

transplant, as they please. And we see no great regard had unto the judicatories of the church, and to their power, more in the one case than in the other; and possibly the prelate's transportings are done with some more seeming regard unto the power of church judicatories, such as they own under them: but in this deed of the council, there is not so much a shew of any deference unto any church judicatory whatsoever; nor is there any thing like it. It is obvious then, how clear and manifest the encroachment on the power of the church is, that is here made. And because magistrates have no such power from the Lord Jesus, and are not so much as nominally church officers, (as prelates in so far are, at least) nor can act any other way, as magistrates, than with a co-active civil power, and not ministerially under Jesus Christ; it is manifest, that the indulged, having this authority unto the present exercise of their ministry in such and such places, only from the civil magistrate acting as such, have not power and authority from Christ; for Christ conveyeth no power and authority in and by the civil magistrate, but by his own way, by ministers of his own appointment, who act under him ministerially. And whether or not, they have not, in submitting to his way of conveyance of power, and authority to exercise their ministry *hic & nunc*, upon the matter renounced the former way, by which power and authority was ministerially conveyed unto them; as we use to speak of such of the prelate's underlings, who have received collation from him, and power to exercise their ministry in such and such places, where they are now placed, though formerly they were ordained and fixed by lawful church judicatories, I leave to others to judge.

But because it may be said, that in these foregoing acts there is no mention made of the injunctions spoken of, in his majesty's letter, to be given to all the indulged ministers; hear what was concluded and enacted by the council on that same day.

Edinburgh, July 27. 1669.

“THE lords of his majesty's privie council, in pursuance of his majesty's royal pleasure, signified to them by his letter of the 7. of June last, do in his majesty's name and authority, command and ordaine all such outed ministers, who are, or shall be appointed or allowed to exercise the ministrie; that they constitute and keep kirk-sessions and presbyteries and synods, as was done by all ministers, before the yeer 1638. And the council declares, that such of them, as shall not

not obey in keeping of presbyteries, they shall be confined within the bounds of the paroches, where they preach, aye and while they give assurance to keep the presbyteries. And also the council doth strictly command and enjoin all, who shall be allowed to preach, as said is, not to admit any of their neighbour or other paroches unto their communions, or baptize their children, nor marry any of them; without the allowance of the minister of the paroch, to which they belong, unless that paroch be vacant for the time; nor to countenance the people of the neighbouring or other paroches, in resorting to their preachings, and deserting of their own paroch churches. And that hereunto they give due obedience, as they will be answerable on their highest peril. And ordaines these presents to be intimate to every person, who shall by authority foresaid be allowed the exercise of the ministrie."

We see here, that this act, concerning the injunctions, was made distinct from the foregoing Act of Indulgence, and these injunctions were not expressly included or mentioned in the Act of Indulgence; and some because of this may possibly think and say, that the accepting of the Indulgence is the more justifiable. But I am not of that mind: For this dividing of these two, which were conjoined in the king's letter, was either done by collusion of the indulged, or wholly without their knowledge and consent. If the former be truth, their accepting of the Indulgence is so much the more condemnable, that it was accompanied with such unfair dealing, devised of purpose (for no other end of this deed can be imagined) to blindfold and deceive the simple; whom possibly such a cheat might hoodwink. If the latter be said, *viz.* That the indulged themselves were utterly ignorant hereof, though it is certain, as was said above, they were not ignorant of the king's letter: Then I think, the first intimation made of these injunctions unto them should have given such a discovery of unfair dealing, and of the council's purpose and intention to have them insnared, that the credit of their ministry; the conscience of their duty to God, and to the souls of people; the care of shunning all appearance of evil; the command of God to give no offence; and other things considerable of that nature, should have compelled them unto a plain and full declaration of their sensibleness of this cheatry, and of their unwillingness to accept of favours, so clogged with snares. And if they had thus carried, they had approved themselves (otherwise than they did) to the consciences of all men,

men, as lovers of upright dealing, and as such who durst not take on them the charge of souls, on such unlawful terms, nor run the errands of God, with such a passport.

As to the conditions themselves, I hope, even the indulged persons themselves, are sufficiently convinced of the iniquity of them, when (as I hear) they have now at length laid aside the careful observance of them: But the careful and circumspect obedience yielded unto them at the first, is standing as a witness against them unto this day, and sheweth that however now they neglect the same, because possibly perceiving the council not so earnest in pressing observance, as at the first; yet so greedy were they of the bait of the Indulgence, that they cared not to swallow this hook with it, though it was an adding of grief to such as had sorrow enough already; and had in it a condemning of such as scrupled the hearing of the curates, and submitting to the ordinances of Christ, administered by them.

Before we proceed, it will be fit here to take some notice of that discourse, which Mr. H. had unto the council, in name of the rest, who were at that time indulged with him; for hereby we may be helped to understand, what was their sense of the Indulgence, who did receive it; the just double of which discourse, as it came to mine hand, I shall here set down, as followeth.

“ I am desired, in the name of my brethren, here present, to acknowledge, in all humility and thankfulness, his majesty's favour and clemency, in granting us the liberty of the public exercise of our ministry, after so long a restraint from the same; and to return here all thanks to your LL. for the care and pains, you have taken therein; and that your LL. have been pleased to make us, the unworthiest of many of our brethren, so early partakers of the same. We have received our ministry from Jesus Christ, with full prescriptions from him, for regulating us therein; and must in discharge thereof, be accountable to him. And as there can be nothing more desirable, or refreshing to us on earth, than to have free liberty of the exercise of our ministry under the protection of lawful authority, the excellent ordinance of God, and to us ever most dear and precious; so we purpose and resolve to behave ourselves, in the discharge of the ministry, with that wisdom and prudence, that become faithful ministers of Jesus Christ; and to demean ourselves towards lawful authority, notwithstanding of our known judgment in church affairs, as well becometh loyal subjects, and that from a lawful principle

principle of conscience. And, my LL. our prayer to God is, that the Lord would bless his majesty in his person and government, and your LL. in the public administration; and especially in the pursuance of his majesty's mind in his letter, wherein his singular moderation eminently appears; that others of our brethren, in due time, may be made sharers of the liberty which, through his majesty's favour, we now enjoy."

I shall not long insist in descanting on this discourse, seeing it is so plain and manifest an homologating of the king's letter; and consequently its iniquity is so undeniable from what was formerly remarked upon that letter, that there is no great necessity of many more words to that end: only it may suffice to touch on some particulars, in a few words.

1. We see hence, that these brethren were not ignorant of the king's letter and of the contents thereof, when they do here acknowledge a favour and clemency, granted unto themselves thereby.

2. Nor were they ignorant of the scope and design of that letter, seeing they pray, that the Lord would bless the council, especially in the pursuance of his majesty's mind in that letter.

3. Nor were they ignorant particularly of the instructions contained in that letter, and which were to be given unto them. as these words, *with full prescriptions from him* (i. e. Christ Jesus) *to regulate us therein*, do clearly show; for by these words, as it would appear, they gave their LL. to understand, that it was not needful that these instructions, or prescriptions, contained in the king's letter, should be laid before them.

4. Nor were they ignorant, that what the council did herein, was by virtue of, and in full compliance with the design of the king's letter; and consequently, that the king's letter, and the contents thereof, were the only spring and original of all this indulgence, and of the council's power in acting in conformity thereto, and actually granting the Indulgence; for they thank their LL. for the care and pains they had taken therein; and they pray, that the Lord would bless them, especially in the pursuance of his majesty's mind, in his letter.

5. It is matter of astonishment to me, considering what is said, how they could acknowledge this for such an act of favour and clemency; and how they could say, that in this letter, the king's singular moderation did eminently appear, when, from what is said, and what shall hereafter be more

fully held forth, it is so notour. That the contents of this letter did hold forth a design of overturning all church power, as exercised by church persons, and of clothing the council with power to impose prescriptions, to prescribe rules and limitations, and to order and regulate ministers in the exercise of their ministry, as also with power to place and displace, plant and transplant ministers, without regard had either to the previous call of the people, or to the mission of any church judicatory, and of subjecting of the exercise of the ministry wholly unto their will and pleasure; not to mention the severity breathed out, in that letter, against the assemblies of the Lord's people.

6. It is manifest from what is already marked, that the indulged brethren did own that letter of the king's as the only rise and fountain of the favour, which they were made partakers of; and therefore did not take the Indulgence only from the council, but from the king principally, as the only spring thereof, conveying the same to them, through the channel and medium of the council, who did nothing but by virtue of that letter, and in obedience thereunto. Whence we see, that there is no ground to abstract the stream from the fountain, or to think that these ministers could imagine, that they were only to notice what the council did, and no more; for as they neither did this, so it were unreasonable to think they could do so.

7. They acknowledged here, that as to the liberty of the public exercise of their ministry, they were only beholden unto this Indulgence; for, for this cause they give thanks: and thus did tacitly grant, that there ought to be no public exercise of the ministry, without liberty granted from the magistrate; whereby they not only condemned all these faithful ministers, who ventured, without that liberty granted, to preach publicly, where occasion offered in houses, or in the fields; but they likewise condemned Christ and his apostles, the greatest of conventicle-keepers. So likewise they do tacitly here grant, that when the magistrate prohibiteth the public exercise of the ministry, for longer or shorter time, he must not be disobeyed; whereby the magistrate hath the power yielded to him of suspending and deposing ministers from the exercise of their function. It is true, magistrates can hinder the peaceable public exercise, or free public exercise, by outward force and constraint; but they speak not here of the freedom of peaceable public exercise, but simply of the freedom of public exercise of the ministry. Our own church
history

history tells us, how famous Mr. Bruce was cast in a fever, through terror of conscience, for promising silence but for ten days, though in hopes of greater liberty.

8. It is observable here, how thankful they are for partaking alone (as chosen out from their brethren) of this favour; whileas this very act of separating them from their brethren, should have been a sufficient ground for them to have rejected the tendered supposed favour, seeing by the accepting thereof, in this separated way, they suffered themselves to be divided from their brethren, contrary to their sworn covenants; not to speak of the stigma they received thereby.

9. They say, *That they received their ministry from Jesus Christ.* But why was it not said, as some of them (if I am not misinformed) desired, *only from I. C.?* When this was designedly and deliberately left out, let all the world judge, whether in this they carried as faithful ministers of the gospel or not? For my part, I cannot but judge, that this was a manifest betraying of the cause, and a giving up of all to the magistrate: for hereby they declared, that in their judgments, either they had their ministry from others, as well as from Christ, that is, from the magistrate as well as from Christ, and that in a co-equality and co-ordination; or else, that they had it not from Christ immediately but from men, from the magistrates, in subordination to Christ. Now, neither of these can assort with truth, and with our principles: Not the former; for then Christ should not be sole king, but half, and the magistrate should have the half of Christ's throne, crown, sceptre and glory: which were blasphemy to think. Not the latter; for magistracy is not subordinate in a direct line unto Christ, as mediator; nor hath Christ substitute the magistrate as his vicar; nor hath he given to him, as such, a ministerial power under him, to convey ministerially (in respect of the subjects) or with a ministerial authority, as his servants, what power of mission he giveth to his ministers; magistrates, as such, act not ministerially, or with a ministerial authority, in reference to their subjects, but with a coactive, autocratorical, and architectonic power and authority. If it be said, that they reserved only to the magistrate hereby, the power to grant the liberty of the free exercise; but they meant, that they received the ministry itself from Jesus Christ alone. I answer, had they spoken so, we might then have understood them so. But though they had said so, the cause had been betrayed, for if they have their ministry from Christ alone, they must also have the free exercise of the same from him:

If Christ give the office, he giveth the power to exercise the office: And if they depend upon others, in reference to the exercise, they in so far rob Christ of what is his due, and hold that of men, which they should hold of Christ alone. No man needs to say here, that by this means we take away the power of church judicatories, by whom ministers receive both the office, and the power of its exercise; for what church judicatories do herein, they do ministerially under Christ, and Christ by them conveyeth the office to such and such a person, and with the office a power to exercise it, according to the rules of the gospel; and notwithstanding of this, these officers may and must say, that they receive their ministry only from Christ Jesus. But this cannot be said, if the magistrate be substitute in the place of church officers, either in reference to the office itself, or in reference to its free exercise; because no magistrate, as such, (as is said) acteth with a ministerial power, under Christ, in a right line of subordination: And therefore when they kept out the word, *only*, they did plainly declare, that they held the ministry partly of the magistrate. If it be said, that they would hereby only have reserved to the magistrate power to grant the peaceable public exercise of the ministry; I would answer, that though they had meant thus, yet they might safely and should have said, that they received their ministry only from Christ; for I cannot be said to receive my ministry from every one, who can hinder my peaceable public exercise thereof, otherwise I must be said to receive it, in part, from Satan and his instruments, who can hinder my peaceable public exercise thereof. So that, use what devices men can to cover this matter, a manifest betraying of the cause will break through, and a receding from received and sworn principles will be visible.

10. They said they had *full prescriptions from Jesus Christ, to regulate them in their ministry.* Who then can justify them, in receiving other prescriptions from the magistrate, and such as Christ never made mention of in his law; yea, some whereof do directly militate against Christ's prescriptions? Doth not their receiving of these instructions or prescriptions, which were contained in his majesty's letter, say, that the prescriptions of Christ were not full? But again, seeing they had not freedom to say, that they received their ministry from Christ alone, how could they say, that they had their full prescriptions from Christ? unless they meant, that they had them not from Christ alone? And then they must say, that they had them partly from some other, and that other must either be

be the magistrate, or church officers: not church officers; for neither had they any call to speak of that here; nor doth church officers hold forth any prescriptions but Christ's, and that in the name of Christ. If that other be the magistrate, then it must either be meant, collaterally, or subordinately to Christ. Not subordinately, for they are not appointed of Christ for that end; nor do they, as magistrates, act ministerially, but magistrally; not collaterally, for then they should have these prescriptions equally from the magistrates as from Christ; and that the magistrate should be equal and king of the church with Christ, which is blasphemy.

More might be here noted, but what is said is enough to our purpose at present; and what was said above needeth not to be here repeated.

But now we must proceed: These fore-mentioned were not all who were that year indulged; for the same supposed favour was granted to others shortly thereafter, as appeareth by these extracts out of the register.

Edinburgh, Aug. 3. 1669.

“THE persons under-written were licenced to preach at the kirks after-specified, viz. Mr. John Scot, late at Oxnam, at the same kirk; Mr. William Hamiltoun, late at Glasford, at the kirk of Evandale; Mr. Robert Mitchel, late at Lufs, at the same kirk; Mr. John Gemmil, late at Symington, at the same kirk; Mr. Robert Duncanson, late at Lochanside, at Kildochrennan; Mr. Andrew Cameron, late at Kilsinnan, now at Lohead in Kintyre.”

Edinburgh, 2. Sept. 1669.

“For as much as the kirk of Pencaitland is now vacant, by decease of Mr. Alexander Vernor, late minister thereat; and there being some questions and legal pursuits before the judge ordinaire, concerning the right of patronage of this kirk: Until the deciding whereof the kirk will be vacant, if remeedy be not provided: Therefore the lords of his majesty's privie council, in pursuance of his majesty's pleasure, expressed in his letter of the 7. of June last, have thought fit at this time and for this vacancie allennerly, to appoint Mr. Robert Douglas, late minister at Edinburgh, to preach and exercise the function of the ministrie, at the said kirk of Pencaitland. And it is hereby declared, that thir presents shall be without prejudice of the right of patronage, according as the same shall be found and declared by the judge ordinarie.”

Edinburgh, Sept. 2. 1669.

“The persons under-written were licensed to preach at the

the kirks after-specified, *viz.* Mr. Matthew Ramsay, late at Kilpatrick, to preach at Paisley; Mr. Alexander Hamiltoun, late minister at Dalmenie, at the same kirk; Mr. Andrew Dalrymple, late minister at Affleck, at Dalganie; Mr. James Fletcher, late minister at Neuthcome, at the same kirk; Mr. Andrew Mc-Claine, late minister at Craigneis, at Kilchat-tan; Mr. Donald Morison, late at Kilmaglais, at Ardnamurchant."

Edinburgh, Sept. last 1669.

"The persons following were ordained to preach at the kirks after-specified, *viz.* Mr. John Stirling, at Hounam; Mr. Robert Mowat at Harriot; Mr. James Hamiltoun at Egleshame; Mr. Robert Hunter at Downing; Mr. John Forrester at Tilliallan with Mr. Andrew Reid, infirme."

Edinburgh, Dec. 9. 1669.

"Mr. Alexander Blair at Galstoun; Mr. John Primrose at Queensferry; Mr. David Brown at Craigie; Mr. John Craufurd at Lamingtoun with Mr. John Hamiltoun aged and infirme; Mr. James Vetch at Machline."

Edinburgh, Dec. 16. 1669.

"Mr. John Bairdie at Paisley with Mr. Matthew Ramsay infirme."

Thus we see there were this year, 1669, five and thirty in all licenced and indulged, and ordained to preach, in the several places specified, upon the council's order, in pursuance of the king's royal pleasure. And in the following year, we will find the same order given unto and obeyed by others.

But ere we proceed, it will not be amiss, that we take notice of the first act of parliament, held this year, Nov. 16. 1669. and consequently, before the last six were licenced. The act is, *An Act asserting his Majesty's supremacy over all persons, and in all causes ecclesiastical.* Whereby what was done by the council, in pursuance of his majesty's pleasure, signified by his letter, in the matter of granting these indulgences, is upon the matter confirmed and ratified by parliament, when his majesty's supremacy is so amplified and explained, as may comprehend within its verge all that ecclesiastic power that was exercised, or ordained to be exercised, in the granting of the Indulgence, with its antecedents, concomitants and consequences; and a sure way is laid for carrying on the same design of the Indulgence, in all time coming. The act is as followeth.

Nov. 16. 1669.

“**T**HE estates of parliament having seriously considered, how necessary it is, for the good and peace of the church and state, that his majesty’s power and authority, in relation to matters and persons ecclesiastical, be more clearly asserted by an act of parliament: Have therefore thought fit it be enacted, asserted and declared: Likeas his majesty with advice and consent of his estates of parliament, doth hereby enact, assert and declare, that his majesty hath the supreme authority and supremacy over all persons, and in all causes ecclesiastical, within this his kingdom: and that by virtue thereof, the ordering and disposal of the external government and policy of the church, doth properly belong to his majesty and his successors, as an inherent right to the crown. And that his majesty and his successors may settle, enact and emit such constitutions, acts and orders, concerning the administration of the external government of the church, and the persons employed in the same; and concerning all ecclesiastical meetings, and matters to be proposed and determined therein, as they in their royal wisdom shall think fit: which acts, orders and constitutions, being recorded in the books of council and duely published, are to be observed and obeyed by all his majesty’s subjects; any law, act or custom to the contrary notwithstanding. Likeas his majesty, with advice and consent foresaid, doth rescind and annul laws, acts and clauses thereof, and all customes and constitutions, civil or ecclesiastic, which are contrary to, or inconsistent with his majesty’s supremacy, as it is hereby asserted. And declares the same void and null, in all time coming.”

Concerning the irreligiousness, antichristianism and exorbitancy of this explicatory, and (as to some things) ampliatory act and assertion of the king’s supremacy in church affairs, much, yea very much might be said; but our present business calleth us to speak of it, only in reference to the Indulgence; that we may see with what friendly aspect this supremacy looketh towards the Indulgence, and with what veneration the Indulgence respecteth the supremacy; to the end it may appear how the Indulgence hath contributed to the establishment of this supra-papal supremacy; and how the accepters thereof stand chargeable with a virtual and material approbation of, and consent to the dreadful usurpation committed by this supremacy.

In order to which, we would know, that this act of supremacy, made *anno* 1669, was not made upon the account that
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the supremacy in church affairs had never been before screwed up to a sufficient height, in their apprehensions; for upon the matter, little that is material is here asserted to belong unto this ecclesiastical supremacy, which hath not been before partly in more general, partly in more special and particular terms, plainly enough ascribed unto this majesty, or presumed as belonging to his majesty. In the 11th act, parl. 1. anno 1661. where the oath is framed, he is to be acknowledged, *Only supreme governor over all persons, and in all causes, and that his power and jurisdiction must not be declined*: So that under all persons, and all causes, church officers, in their most proper and intrinsical ecclesiastic affairs and administrations, are comprehended; and if his majesty shall take upon him to judge doctrine, matters of worship, and what is most essentially ecclesiastic, he must not be declined as an incompetent judge.—We find also, Act 4. Sess. 2. Parl. 1. anno 1662, (which is again renewed Act 1. anno 1663.) that his majesty, with advice and consent of his estates, appointeth church censures to be inflicted for church transgressions, as plainly and formally as ever a general assembly, or synod did, in these words: *That whatsoever minister shall, without a lawful excuse, to be admitted by his ordinary, absent himself from the visitation of the diocess---or who shall not, according to his duty, concur therein; or who shall not give their assistance, in all the acts of church discipline, as they shall be required thereto by the archbishop, or bishop of the diocess, every such minister (N. B.) so offending shall, for the first fault, be suspended from his office and benefice, until the next diocessan meeting; and if he amend not, shall be deprived.* But, which is more remarkable, in the first act of that second session, anno 1662, for the restitution and re-establishment of prelates, we have several things, tending to clear how high the supremacy was then exalted: The very act beginneth thus, *For as much as the ordering and disposal of the external government and policy of the church doth properly belong unto his majesty, as an inherent right of the crown, by virtue of his royal prerogative and supremacy in causes ecclesiastical.* This is the same, that is by way of statute asserted in the late act 1669. In the same act it is further said, *That whatever (this, sure, is large and very comprehensive) shall be determined by his majesty with the advice of the archbishops and bishops, and such of the clergy, as shall be nominated by his majesty, in the external government and policy of the church (the same consisting with the standing laws of the kingdom) shall be valide and effectual.*

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And which is more, in the same act, all preceding acts of parliament are rescinded, by *which the sole and only power and jurisdiction within the church, doth stand in the church, and in the general, provincial and presbyterial assemblies and kirk-sessions.* And all acts of parliament or council, which may be interpreted to have given any church power, jurisdiction or government to the office-bearers of the church, their respective meetings, other than that which acknowledgeth a dependence upon, and subordination to the sovereign power of the king, as supreme. So that we see, by virtue of this act, all church power and jurisdiction whatsoever, is made to be derived from, to have a dependence upon, and to be in subordination to the sovereign power of the king, as supreme; and not to stand in the church: whereby the king is made only the fountain of church power, and that exclusive (as it would seem) even of Christ; of whom there is not the least mention made; and for whom is not made the least reserve imaginable. So in the 4th act of the third session of parl. anno 1663, for the establishment and constitution of a national synod, we find it said, that *the ordering and disposal of the external government of the church, and the nomination of the persons, by whose advice, matters relating to the same are to be settled, doth belong to his majesty as an inherent right of the crown, by virtue of his prerogative royal and supreme authority in causes ecclesiastical.* And upon this ground is founded his power to appoint a national synod; to appoint the only constituent members thereof, as is there specified; to call, continue and dissolve the same, when he will; to limit all their debates, consultations and determinations to such matters and causes, as he thinketh fit; and several other things there to be seen.

Seeing by these particulars, it is manifest and undeniable, that this ecclesiastic supremacy was elevated presumptively before the year 1669, to as high a degree as could be imagined; it may be enquired, why then was this act made anno 1669? I answer, This act (so I conceive) was not framed so much to make any addition to that church power, which they thought did *jure coronæ* belong originally and fundamentally unto the king; for that was already put almost beyond the reach of any additional supply, though not in one formal and expressive statutory act; as to form the same, when screwed up to the highest, into a plain and positive formal statute, having the force of a law, for all uses and ends; and particularly to save, in point of law, the council in what they did, in and about the Indulgence, according to the desire and

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command of the king in his letter, in regard that the granting of this Indulgence, did manifestly repugn to and counter-act several anterior acts of parliament, and was a manifest breach and violation of laws, standing in full force, and unrepealed; which neither their place, nor his majesty could in law warrant them to do, by his letter. That the granting of the Indulgence did thus in plain terms repugn to standing laws, I thus make good. In the Act of Restitution of Prelates, anno 1662, prelates are *restored unto the exercise of their episcopal function, presidence in the church, power of ordination, inflicting of censures, and all other acts of church discipline.* And as their episcopal power is there asserted to be derived from his majesty, so withal it is expressly said, that the church power and jurisdiction is to be *regulated and authorized in the exercise thereof, by the archbishops and bishops; who are to put order to all ecclesiastical matters and causes, and to be accountable to his maj. for their administrations.* Whence it is manifest, that the king alone, or with his privy council, cannot put order to ecclesiastical matters and causes, or exercise church power and jurisdiction, without a violation of this law, and manifest controuling of it. And further, in the 4th act of that same second session of parliament, it is expressly ordained, that none be hereafter permitted to preach in public or in families within any diocess,---without the licence of the ordinary of the diocess. So that this licence and permission, granted to the indulged by the council, to preach and exercise the other parts of their function, being without the licence of the bishops, is manifestly contrary and repugnant to this law. Moreover, act 1st in the third session, anno 1663, we have these words. *And the king's maj. having resolved to conserve and maintain the church, in the present state and government hereof by archbishops and bishops, and others bearing office therein; and not to endure, nor give way or connivance to any variation therein, in the least; doth therefore, with advice and consent of his estates, convened in this third session of parliament, ratify and approve the afore-mentioned acts, and all other acts and laws, made in the two former sessions of parliament, in order to the settling of episcopal dignity, jurisdiction and authority within the kingdom, and ordains them to stand in full force as public laws of the kingdom, and to be put in further execution, in all points, conform to the tenor thereof.* Here is a further ratification and confirmation of the laws mentioned, and the council hereby yet more firmly bound up from emitting any acts or edicts, contrary to, and tending to weaken and invalidate the public standing laws of the kingdom. And, which

is yet more considerable, in the following words of this same act, the effectual putting of these laws in execution is specially, and *in terminis*, recommended by king and parliament unto the privy council, after this manner. "And in pursuance of his maj. royal resolution herein, his maj. with advice forefaid, doth recommend to the lords of his maj. privy council, to take speedy and effectual course, that these acts receive ready and due obedience from all his maj. subjects; and for that end, that they call before them all such ministers, who having entered in or since the year 1649, and have not as yet obtained presentations and collations as aforefaid, yet dared to preach in contempt of the law; and to punish them as seditious persons, and contempters of the royal authority. As also that they be careful, that such ministers, who keep not the diocesan meetings, and concur not with the bishops, in the acts of church discipline, being for the same suspended or deprived, as said is, be accordingly after deprivation, removed from their benefices, glebes and manfes. And if any of them shall notwithstanding offer to retain the possession of their benefices or manfes, that they take present course to see them dispossessed. And if they shall thereafter presume to exercise their ministry, that they be punished as seditious persons, and such as contemn the authority of church and state." Now, notwithstanding of this exprefs reference and severe recommendation, we know, that in the matter of the Indulgence, they were so far from punishing such, as had not obtained presentations and collations, and yet had continued to preach and exercise their ministry; that in perfect contradiction to this injunction of king and parliament, and other fore-mentioned acts, they licenced, warranted and empowered some such, as by act of parliament were to be punished as seditious persons, and contempters of authority of church and state, to preach publicly, and to exercise all other parts of their ministry, and that upon the sole warrant of the king's letter, which cannot in law warrant and empower them to contravene exprefs laws, and acts of parliament; and not only to disobey the injunctions of parliament, but in plain terms to counteract and counterwork the established and ratified laws, and so to render them null and of no effect.

Whence we see, that there was a necessity for the parliament, *an.* 1669, to do something, that might secure the lives and honours of the members of council, in point of law, in granting of that indulgence, which was so exprefsly against law, and which the two arch-prelates, members of council,

would never give their assent unto, as knowing how it intrenched upon the power granted to them, and the other prelates, confirmed by law; and so was a manifest rescinding of these acts and laws. And though this might have been done by a plain and simple act, approving and ratifying what the council had done, in compliance with his majesty's royal pleasure, and authorizing them in time coming, to pursue the ends of the same letter further, with a *non obstante* of all acts, formerly made in favours of prelates and prelacy: Yet it is probable they made choice of this way of explaining, by a formal and full statute and act of parliament, the supremacy, in these plain, full and ample terms, wherein we now have it; that thereby they might not only secure the council, but also make the king's sole letter to the council, in all time coming, a valid ground in law, whereupon the council might proceed, and enact and execute, what the king pleased in matters ecclesiastic, how intrinsically and purely such soever; without so much, as owning the corrupt ecclesiastic medium or channel of prelacy: And withal it might have been thought that such an act, so necessary for the legal preservation of the indulgers, and consequently of the indulged, in the enjoyment of the Indulgence, would go sweetly down with all the indulged, and such as gaped for the like favour, howbeit so framed, as that it was not very pleasant, at the first tasting: For it cannot be rationally supposed, that such as are pleased with their warm dwellings, will cast out with the walls and roof of the dwelling, without which they would enjoy no more warmth than if they were lodging beside the heath in the wilderness: And who could think, that any indulged man could be dissatisfied with that, which was all and only their legal security, and without which, they were liable to be punished as seditious persons, and as contemners of authority, even for preaching by virtue of the Indulgence, according to laws standing in force unrepealed?

Whence also we see, what a fair way was made unto this act of supremacy, by the Indulgence; and how the Indulgence is so far beholden unto this act, that it cannot stand without it, nor the persons indulged be preserved from the lash of the law, notwithstanding of all that was done by the council: And thus these two are as twins, which must die and live together; for take away the act of supremacy, and the Indulgence is but a dead illegal thing. We may also see, what to judge of this illegal and illegitimate birth, that cannot breathe or live, where law reigneth, without the swaddling-clothes of such

such a supremacy, nor can stand but as upheld by such an antichristian pillar.

We may also see here, that the very embracing of the Indulgence was, upon the matter, a recognition of this power in the king, to do in and by his privy council, in church matters, what he pleased, even though contrary to antecedent acts of parliament; and that such as are so satisfied with the effect, *viz* The Indulgence, cannot but comply with the cause, *viz*. The supremacy, as asserted in this act; as the man that hath a complacency in drinking of the streams, cannot be displeased with, but delight in the fountain from whence they proceed. If any of these brethren had received the same Indulgence from the prelates immediately, had they not thereby complied with the prelates, homologated their power, and plainly assented and submitted thereunto? Yea, had they not in this assented also mediately unto the supremacy, seeing all the prelate's power did flow from the supremacy? And shall they not now much more be looked on, as homologating the supremacy, and as assenting thereto, when they receive the Indulgence, that immediately floweth therefrom, and must be vindicated and defended solely by the asserting thereof? How is it imaginable that I can receive a favour, and not homologate, assent to, and acquiesce in that power that gave it, when the asserting of that power, is the only mean to keep me in legal possession of the favour received?

But now, for further confirmation of what is said, let us take a view of the act of supremacy itself, and there see a ground laid of sufficient warrant for the council, in what they did, in granting the Indulgence; and also be able to read the Indulgence itself out of the supremacy, as here asserted; and for this end, it will be sufficient for us, to take notice only of the last words thereof, where it is said, "And that his majesty and his successors may settle, enact and emit such constitutions, acts and orders, concerning the administration of the external government of the church, and the persons employed in the same, and concerning all ecclesiastical meetings and matters, to be proposed and determined therein, as they in their royal wisdom shall think fit: which acts, orders and constitutions, being recorded in the books of council, and duly published, are to be observed and obeyed by all his maj. subjects." Before this time, as we heard, all acts, orders constitutions, concerning church affairs, church meetings, and church administrations, were to be put in execution by the prelates, empowered by the supremacy unto this end: and

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what was lately done in the matter of the Indulgence, was done by the council, and not by the prelates, and therefore contrary to law: whereupon, that this deed may be valid in law, it is here asserted, that the king, by virtue of his supremacy, may emit what orders and constitutions, he, in his royal wisdom, thinketh fit, and after what manner he pleaseth; and so, if he will, may order and dispose of all church administrations, ecclesiastic persons, church meetings and matters, by himself immediately, or by his council; yea, or by his lackeys; so that if the laws, constitutions, acts and orders, concerning these matters, meetings, persons and administrations, be signified to the council, by letter, or any other way, and be recorded in their books, and duly published, (which they must do whensoever required) they must be obeyed and observed by all subjects: Now this power being asserted to belong to his majesty as an inherent right of the crown, no deed of gift, formerly granted to the prelates, could weaken or diminish it; and therefore nothing done of late by the council, in granting of the Indulgence, according to his majesty's will and pleasure, signified by his letter June 7. 1669, can prove prejudicial unto the said privy council, they doing nothing but what was consonant unto the king's supremacy, here more clearly asserted, and not granted of new, save in the form of a formal statute and law asserting the same. Yet notwithstanding, for the more security, (for abundance of law breaks no law) it is added in the act, (as we see) *Any law, act or custom to the contrary notwithstanding.* And moreover, they *rescind and annul all laws, acts and clauses thereof, and all customs and constitutions, civil or ecclesiastic, which are contrary to and inconsistent with his majesty's supremacy, as it is hereby asserted; and declare the same void and null in all time coming; according to the usual course and manner.*

As to the other particular, we may see the native feature and lineaments of the Indulgence, in the face of the supremacy, so manifestly, that none who see the one needs question the intimate relation that is betwixt them. We see it now asserted, as belonging to his majesty's supremacy, in church affairs, that he may settle, enact and emit what acts, constitutions and orders, he thinketh good, whether concerning church administrations, church meetings, church matters, or church officers; and that there needeth no more to make these laws to be obeyed and observed by all the subjects, but the recording of them in the books of the council, and duly publishing of them. Now, as we saw above, in the king's letter,

letter, concerning this Indulgence, there are constitutions, acts and orders emitted and settled concerning church administrations, shewing what shall not be preached under the pain of censure; whose children may be baptized, whose not; who may be admitted to hear the word, and who not. Concerning church persons, who shall be accounted qualified for preaching, who not; who shall be accounted fit for the charge of such a flock, and who for the charge of another; such and such ministers are ordained to go to such or such congregations, not by virtue of a call of the people, but merely by virtue of the council's designation. Concerning church meetings, they are appointed to keep diocesan visitations, or synods, and to resort to prelates exercises, though the prelates look not on them as suitable company. So it is ordained, whom they are to marry and whom not. In a word, let any but compare the king's letter with this part of the act of supremacy, and he shall be forced to say, that the letter is nothing but the supremacy exemplified and put in practice.

Hence it is manifest, that no man can submit to, and accept of the Indulgence, but he must *eo ipso* submit to and accept of such constitutions, acts and orders, as did constitute, qualify, and limit the same; for the effect includeth the causes constituent and discriminating. And again, no man can submit to and accept of constitutions, acts and orders, flowing from a power, but they must *eo ipso* recognise that power to be properly residing in the person, giving forth these acts and orders; or grant, that he is vested with that power: and seeing it is plain from the act of supremacy itself, that such constitutions, acts and orders, so given in church matters, and about church persons, as these were, whereby the Indulgence was midwif'd into the world, do flow from the supremacy; it is also manifest, that no man can accept of the Indulgence, as so and so conveyed, as it was, but they must withal virtually, implicitly, and interpretatively at least (tho' yet really and consequentially) acquiesce, and submit unto, and acknowledge the supremacy, in so far as concerneth the matter of the Indulgence, and the acts, orders and constitutions, therein comprehended.

I am, in all this, far from thinking, that these indulged brethren did formally and expressly own, acknowledge, acquiesce in, or approve of the ecclesiastic supremacy, in and by their accepting the Indulgence; or that they had any such intention therein, as to make way for, approve of, or to confirm the said supremacy. No: I am only shewing what is the native

tive consequence thereof, and inevitably followeth thereupon; and what consequentially they may and ought to charge themselves with, and others, not without ground, account them interpretatively guilty of; and what a conscience, when rightly awakened and illuminated, will challenge them for; and the posterity will think they have failed in, and many now-a-days are stumbled by, or induced to stumble upon the occasion of; not to mention the design of the contrivers, which yet, when known and discovered, may occasion, yea, and cause a sad and wakening reflection; nor yet to mention what afterward, upon several occasions was discovered, of which more afterwards, and which might have been sufficient to have made some bethink themselves, and search more narrowly what they had done, and give glory to God by turning out of such dangerous, and so many ways scandalous and offensive paths.

Having thus briefly spoken of the supremacy, as relating to and friendly corresponding with the Indulgence, its native daughter, we now proceed in our history, and shall show, who were indulged even after this act of supremacy was thus made and published: And of these we have found already five or six licenced, that same year, within a month or thereby after the parliament (which gave us such a full and large explication of the supremacy) sat down. But we proceed to the following years.

Edinburgh, 27. 1670.

“ Mr. Alexander Wedderburn at Kilmarnock.”

Edinburgh, March 3. 1670.

“ Mr. John Lauder at Dalzel; Mr. George Ramsay at Kilmars; Mr. John Spadie at Dreghorne; Mr. Thomas Black at Newtyle; Mr. Andrew McClaine at Killaro and Kilquhanan; Mr. Andrew Duncanson at Kilchattan in Lorn.”

Thus we have this year seven more; in all forty-three. Towards the beginning of the next year, there is a proclamation of the privy council, reinforcing the punctual observation of the fore-mentioned injunctions, delivered unto the indulged, after this form.

Edinburgh. Jan. 26. 1671.

“ For as much as the lords of his maj. privy council, in pursuance of his maj. royal pleasure, signified to them by his letter of June 7. 1669, did by their act of the 27. of July 1669, ordain all such outed ministers, as should be allowed to exercise the ministry, to keep kirk-sessions, and keep presbyteries and synods, as was done by all ministers, before the year 1638:

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And did declare, that such of them, as should be allowed to exercise the ministry, and should not obey in keeping of presbyteries, should be confined within the bounds of the parishes, where they preach, aye and while they give assurance to keep presbyteries. And the said lords being informed, that hitherto obedience hath not been given to the foresaid act of council: Do therefore command and require all and every one of these ministers, allowed to preach by order of council, to keep presbyteries in time coming. And do hereby confine all these, who shall not give obedience in keeping presbyteries within the bounds of the respective parishes, where they preach. And ordain extracts of this act to be sent to every one of the said ministers, that none of them pretend ignorance."

How or what way this injunction was observed, I am not much concerned to enquire. Only the reader would know, that the presbyteries now, and before the year 1638, were not the same; so that however honest ministers did observe those, yet no honest man could, with a good conscience, keep these meetings now; because before the year 1638, presbyteries had never been discharged, or removed: Howbeit many complied with the prelates then, and frequented these meetings, yet good men kept their possessions; only the synods then were so far changed into episcopal visitations, that several honest men had not peace and freedom in going to them. But in our days, presbyterian government was plucked up by the roots, and wholly cast away; and there was no presbytery or synod, but what was purely episcopal, depending upon him, and recognoscing his power. Whence we see, that by this injunction, a compliance with prelacy was designed. And I suppose, such of those indulged ministers, as had not freedom in conscience to yield obedience unto this command, thought that by compliance herewith they should have homologated the prelate's power, and abjured prelacy, notwithstanding that they were obliged by the command of God, to hold such meetings for the exercise of discipline, according to the pattern of the New Testament, if such circumstances had not made it sinful in them; why then might they not also have judged it unlawful for them to have accepted of the Indulgence, as homologating the magistrate's usurped supremacy, and abjured Erastianism, notwithstanding of their obligation to preach the gospel? Why did not the obligation to observe presbyterial assemblies, for the exercise of discipline, make them willing to step over the inconveni-

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ence of prelacy, without acknowledging of which they could not keep these meetings *hic & nunc*; as they supposed their obligation to preach the gospel did warrant them to step over the inconvenience of Erastianism, without acknowledging of which they could as little preach *hic & nunc*; especially seeing if they observed not these presbyteries and synods, they could observe none: But though they preached not in these places designed by the indulgers, they could have preached elsewhere, with as much glory to Christ, good to souls, edification of the whole body, and peace in their own minds, if not more. I see not, how they, who scrupled not at preaching, though, as circumstantiated, attended with abjured Erastianism, could rationally scruple the exercise of presbyterian discipline, tho', as circumstantiated, attended with abjured prelacy. Yea, I think there was less ground for scrupling of this discipline, than for scrupling that of preaching; because, as I said, they could have preached without the Erastian Indulgence, and that to much more advantage, as experience hath proved in others; but they could not have exercised discipline, such I mean as used to be exercised in presbyteries and synods, without the prelate's courts.

We have now seen the progress of this device of the Indulgence, contrived mainly to suppress and keep down the meetings of the Lord's people in houses, and in the fields, which were the eye-sore of the rulers, and which they were seeking to destroy by all means; as appeareth by that grievous act of parliament made against them, Aug. 13. 1670, with the act against baptisms, Aug. 17. 1670, and that made Aug. 20. 1670, against withdrawing from public meetings, all tending to this end. But notwithstanding of all those Midianitish wiles, and cruel acts, such was the presence of the Lord in the assemblings of his people, and so powerful was the operation of his Spirit with the labours of a few, who laid out themselves to hold up the standard of Christ, though contrary to the law of men; that the number of converts increased and multiplied daily, to the praise of the glory of God's free grace, and to the encouragement of the few hands, that wrestled through all human discouragement. Therefore our rulers cast about again, and fall upon another device, which they supposed would prove effectual for destroying the work of the Lord; which was this. Besides the ministers indulged, as said is, there was a great company of non-conform ministers, not yet indulged, who they supposed either did, or might thereafter hold conventicles (as they are called); and therefore

therefore to remead or prevent this in time coming, they appoint and ordain them to such and such places, where indulged ministers were settled, there to be confined, granting them liberty to preach, and exercise there ministry there, according as the indulged men would allow and employ them; or of new-indulging them by pairs, and appointing to places; thinking by this means to incapacitate so many ministers from holding of conventicles or private meetings there, or elsewhere: All which will be clear by the acts of council which follow.

Halyrudhouse, Sept. 3. 1672.

“THE lord commissioner his grace, and the lords of his majesty’s privy council, considering the disorders which have lately been by the frequent and numerous conventicles; and being willing to remead so great an evil, in the gentlest manner that could be thought on; and his majesty’s commissioner being sufficiently instructed herein, They do order and appoint the ministers after-named, outed since the year 1661, to repair to the parishes following, and to remain therein confined, permitting and allowing them to preach and exercise the other parts of their ministerial function, in the parishes to which they are, or shall be confined by this present act, and commission after-specified, *viz.*

In the dioceſs of Glaſgow.

In Eglesham parish, with Mr James Hamiltoun, Mr Donald Cargil. Paisley, with Mr John Bairdy, Messrs William Eccles and Anthony Shaw. Neilston, Messrs Andrew Miller and James Wallace. Kilmakolme, Messrs Patrick Symson and William Thomson. Kilbarchan, Messrs John Stirling and James Walkinshaw. Killiallan, Messrs James Hutcheson and Alexander Jamison. 13

Irwing.

Newmiles, Messrs John Burnet and George Campbell. Phinick, Messrs Thomas Wyllie and William Sheil. Stewarton, Messrs William Castellaw, Andrew Hutcheson and Andrew Mortoun. Dunlop, Messrs Gabriel Cunninghame and William Meine. Largs, Messrs John Wallace and Alexander Gordoun. Kilbride, Messrs Robert Boid and Gilbert Hamiltoun. Camray, Messrs Archibald Portous and John Rae. Kilwinning, with Mr Ralph Rodger, Mr Robert Fleming. Irwine, with Mr George Hutcheson, Mr John Law. Kilmarnock, with Mr Alexander Wedderburn, Messrs James Rowat, and William Hay. Kilmares, with Mr George Ramsay, Mr John Parke. Dreghorn, with Mr John Spading, Mr

Mr James Donaldson. Beith, with Mr William Maitland, Mr William Creighton Kilbirnie, with Mr William Dalidafe Mr Patrick Anderson. Ardrossine, with Mr John Bell, Mr James Bell.

Ayr.

█ Cultoun, Mr William Fullertoun. Riccartoun, Messrs Hugh Campbel and Hugh Crawford. Dundonald, Messrs John Osburne and John Hutcheson. Machline, with Mr James Vetch, Mr Robert Archbald. Ochiltree, with Mr Robert Miller, Mr Patrick Peacock. Gastoun, with Mr Alex. Blair, Mr Adam Alison. Craigie, with Mr David Broun, Mr Robert Maxwell. Dalganie, with Mr Andrew Dalrumple, Mr John Campbel. Symmentoun, with Mr John Gemil, Mr Francisce Irwing.

Kircudbright.

Carsfairne, John Semple, and Mr William Erskine. Kelles, with Mr Cant, Mr George Wauch. Dalry, with Mr John M'Michen, Mr Thomas Thomsoun. Balmaclellan, Messrs James Lawrie and Thomas Vernor, in place of John Ross, when he shall be transported to Staniekirk.

Hammiltoun.

Avendale, Messrs James Hammiltoun and Robert Young. Glasford, Messrs William Hammiltoun and James Nasmith. Shots, Messrs James Curry and Alexander Bartoun. Dalserfe, Messrs Thomas Kirkaldy and John Carmichel. Staniehousie, with Mr John Oliphant, Mr Matthew M'Kell. Cambushnethen, with Mr William Violand, Mr Robert Lam. Dalzel, with Mr John Lauder, Mr Thomas Melvjl.

Lanerk.

Carluke, Messrs Alexander Livingstoun, and Peter Kid, now at Carluke. Carmichel, Messrs John Hammiltoun, and William Sommervail. Culter, Messrs Anthony Murray and Robert Lockhart. Lamington, with Mr John Crawford, Mr William Baillie. Lesmahago, with Mr. Thomas Lawrie, a regular incumbent, Mr James Brotherstons. Carstairs, Messrs James Kirkton and John Greg.

Linlithgow.

Westcalder, Messrs John Knox and William Weir. Burrowstouness, Messrs Robert Hunter and John Ingles.

Lothian, &c.

Lintoun, with Mr Robert Elliot, Mr Robert Elliot, his son. Oxnam, with Mr John Scot, Mr Hugh Scot. Hownam, with Mr John Stirling, Mr ----- Ker.

Argyle.

Argyle.

Killerne, Messrs John Cunnison and Alexander M'Claine, Kilfannan, Mr John Cameron. Campbeltoun, Messrs Duncan Campbel and Edward Keith. Kilchattan in Lorn, Messrs John Duncanson and Alexander M'Claine. Knapdail, with Mr Dougal Campbel, a regular incumbent, Mr Duncan Campbel. South Kyntire, Mr David Symphon.

“ And yet notwithstanding of the said confinement, the lord commissioner his grace, and lords of his majesty's privy council, give full power, warrant and commission to the lord chancellor, the lord Duke of Hamilton, the earls of Argyle, Tweddale and Dundonald, the lords president of the session, register, treasurer depute, and justice-clerk, with the bishop of the diocess, wherein the said ministers are confined, or any four of them, within the space of six months after the date hereof, to alter and change any of the persons foresaid from any of the said parishes, to another of those parishes; or to allow and confine other persons in their place; they always pitching in the first place upon some outed ministers from that diocess, wherein the parishes, to which they are to be confined, do lie: And allowing none to preach, who were outed before the year 1662, or being outed since the year 1661, are under certifications, or sentences of any court of this kingdom: With power to the said commissioners and their quorum, to confine to and allow outed ministers, as said is, in the parishes of Tarboltoun, Barnwel, Stevenson, Lochguenoch, Incharn and Mearns; and that so soon as the present incumbents in these parishes shall be provided, and transported to other kirks. Recommending to patrons, to give them presentations at kirks that shall vaik; and particularly to ----- patron of the kirk of Gallowsheils to give a presentation thereto to Mr Alexander George. To ----- patron of the kirk of Burghtoun, to present thereto Mr William Naismith. To ----- patron of the kirk of Maclue, to present thereto Mr Robert Kincaid. To ----- patron of Gratae, to present thereto Mr ----- Stewart. And for the entertainment and maintenance of the ministers foresaid, confined and allowed by this act, and of these formerly indulged by the council, the said lords do think fit, that the half of the stipends of the respective parishes, wherein they are confined, of the crop and year of God 1672, be paid to the ministers, formerly indulged therein; and that the other half of the said stipend be equally divided amongst or betwixt these formerly, and now allowed to preach in the said parishes.

rishes. The saids whole stipends, receiving in the future division proportionably, according to the number of persons formerly and now allowed to preach therein. And where there was no person formerly indulged, the third part of the stipend of the year 1672, is to be paid to these confined and allowed by this present act, in the respective parishes foresaid. And in case any of the ministers foresaid shall not serve, as they are allowed by this act or commission foresaid, their proportion of the said stipends are to be holden as vacant, and to be employed, conform to an act to be made in this session of parliament, anent the disposal of the vacant stipends. And ordains letters to be directed, at the instance of the several ministers foresaid, serving as said is, against these liable for payment of their proportions of the saids stipends. And the lord commissioner's grace, and lords of his majesty's privy council, considering the extent of the Indulgence given by this act, and that if the same should be any further enlarged, the regular ministers might be discouraged, and the orderly and peaceably disposed people of this kingdom disquieted; do declare, that hereafter they are not to extend the said Indulgence, in favours of any other people, or to any other parishes, than to those mentioned in this act; nor to allow outed ministers to preach in any kirks, not herein expressed, and wherein there are not already ministers allowed to preach by this act."

Thus we see this Indulgence very far extended, and as far as the council meant to extend the same, in all time coming; but you will say, we hear of no orders, instructions and prescriptions, given unto them, whereby they were to be regulated in the exercise of their ministry, as others formerly allowed and licenced were. Therefore, in order to this, there is an act of council, of the date of the foresaid Indulgence, to this effect.

"**W**HEREAS by an act of the date of thir presents, and by former acts of council, divers ministers outed since the year 1661, have been and are warranted and licenced, to preach at certain kirks, therein specified; and it being necessary for the better keeping of good order, that the rules following be observed by these ministers indulged, by an act of the date of thir presents, and these indulged by former acts of council. Therefore the lord commissioner's grace, and the lords of his majesty's privy council do enjoin the
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punctual and due observance thereof to the said ministers, as they will be answerable.

1. " That they presume not to marry or baptize, except such as belong to the parish, to which they are confined, or to the neighbouring parishes vacant, or wanting ministers for the time.

2. " That all ministers indulged in one and the same diocese, celebrate the communion upon one and the same Lord's day, and that they admit none to their communions belonging to other parishes, without testificates from the ministers thereof.

3. " That they preach only in these kirks, and not in the church-yards, nor in any place else ; under the pain to be repute and punished as keepers of conventicles.

4. " That they remain within, and depart not forth of the parish, to which they are confined, without license from the bishop of the diocese only.

5. " That in the exercise of discipline, all such cases, as were formerly referable to presbyteries, continue still in the same manner ; and where there is no presbyterial meeting, that these cases be referred to the presbytery of the next bounds.

6. " That the ordinary dues, payable to bursters, clerks of presbyteries and synods, be paid by the said ministers as formerly.

" And that the said ministers may have competent time for transporting of their families, and disposing upon their goods, the said lords suspends their confinement for the space of three months. to the effect, in the mean time, they may go about their affairs, providing that during the time of the said suspension, they do keep and observe the rest of the orders and instructions foresaid, and other acts made anent outed ministers."

There was another act of council made this same day, concerning all the rest of the outed ministers, not as yet by name indulged and licenced, and concerning some newly ordained, as followeth.

Halyroodhouse, Sept. 3. 1672.

" **T**HE lord commissioner's grace and the lords of his majesty's privy council, considering that by the act of the date of thir presents and former acts of council, certain ministers outed since the year 1661, are confined in manner therein contained ; and that there are remaining divers of that number not disposed on by the said act, it ought also to be provided, that these may not give scandal to any,

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by withdrawing themselves from the public worship, in the kirks of these parishes, where they reside, nor ensnare others to do the like by their practice and example; do therefore give order and warrant to sheriffs, bailies of regalities, bailies of baileries, and their respective deputies, and magistrates within burghs, to call and convene before them all outed ministers since the year 1661, and not disposed on as said is, and who are not under a sentence or censure of state, residing in the respective jurisdiction or bounds, or who shall in any time thereafter reside therein, to require them to hear the word preached, and communicate in the kirk of those parishes, where they dwell or repair to; or dwell in some other parishes, where they will be ordinary hearers and communicate; and to declare their resolution herein; and condescend upon the parishes, where they intend to have their residence, and hear the word and communicate: with power to the said sheriffs and other magistrates foresaid to seize upon and imprison their persons, within the space of a month after they should be so required. And in case any of the said ministers shall reside in the parish, where there are ministers indulged by the council, they are hereby warranted and allowed to preach in the kirks of those parishes, where they reside, upon the invitation of the minister therein confined and allowed, and not else.

“ And whereas some within the kingdom, without any lawful authority or ordination, take upon them the calling of the ministry, preach and do other acts, peculiar to those of that function; and considering that such presumption and intrusion upon the sacred office, tend to the disordering and disquieting of the church and kingdom, therefore the lord commissioner's grace, and the lords foresaid of his majesty's privy council do enjoin the said sheriffs and other magistrates foresaid, within the respective bounds, to make search for, and seize upon and imprison such, upon trial that they have exercised the office of a minister; to acquaint the council of their names and place of their imprisonment, that such course may be taken with them as they shall think fit. And further, the said sheriffs are ordained and commanded to enquire how the ministers, confined and allowed to preach in their several jurisdictions, do obey the rules prescribed to them, and contained in another act of council, of the date of thir presents, and whereof extracts are to be sent to the several magistrates foresaid, who are hereby appointed to report to the council thereanent, every six months, and betwixt and the first of
June

June next their diligence in the execution of the order, contained in the act, certifying them, that if they shall be negligent or remiss in the execution of the orders, given to them herein, or failing to give in the said account, they shall be proceeded against and censured according to their demerits."

By this act we see what course was laid down to have all the outed ministers cantonized, and brought under restraint, that so the word might also be under bonds, and restricted to these bounds, to which they had been pleased to extend the Indulgence. We see also, how the council looked upon such, as had been ordained, but not by prelates, and how they were to be persecuted by their order. We see also how the ministry of those, who were thus to confine themselves in places, where indulged men were, is restricted by their prescriptions, in its exercise.

But by the preceding Act of Indulgence, we saw a number of ministers indulged, who were to repair to the several places specified; and to this end every one of them were to receive their own particular act or summons, to this effect.

Halyroodhouse, Sept. 3. 1672.

"**T**HE lord commissioner's grace and the lords of his majesty's privy council, considering the disorders which have lately been, by frequent and numerous conventicles, and being willing to remedy so great an evil in the gentlest manner could be thought on; and his majesty's commissioner being sufficiently instructed herein, they do hereby order and appoint ---- to the parish kirk of ----- and to remain therein confined, permitting and allowing him to preach, and exercise the other parts of the ministerial function in the said parish, with ----- formerly indulged."

But where no minister had been formerly indulged, this last clause was left out. As also there was sent along with this act to every one of them an extract of the council's instructions, of the date thereof.

Here we see the former injunctions renewed, and pressed on all, formerly and now of late indulged; and moreover we find some new injunctions supperadded, *viz.* concerning the time of their celebrating of the Lord's supper, of purpose to hinder the greater good and edification of the people, who used to go to other churches, than their own, to partake of that comforting and strengthening ordinance; whereby also an insupportable yoke was put upon their necks, to celebrate the sacrament at times (as to some in particular possibly) most un-

seasonable, when neither they nor their people were in case, and when the season of the year might prove an impediment in landward kirks, though none to towns. And further, they are enjoined not to preach without the walls of the kirk, nay, not so much as in their house; such hatred and indignation had these rulers, at all house and field meetings, that they would not suffer even their own licensed and warranted ministers to do any thing, that might carry the least appearance of any such thing. So they are ordered to acknowledge their subjection unto the prelate's courts, by referring cases, usually referable to presbyteries, unto them; as also to testify their acknowledgement of the prelate's courts, by paying their proportion of the salary, now alledged to be due to the clerks of these courts. Any may see what snares were laid here; and what obedience was given hereunto by these ministers, who accepted of the benefit of this Indulgence, I know not. It is sufficient for me to note here, that these injunctions flow from an usurped power, and are not proper magistratical acts, *circa sacra*, but intrinsically church constitutions (at least several of them), and therefore the accepting of these, which were a piece of the complex business of the Indulgence, as tendered and granted by the rulers, bewrayed their falling off, in so far, from former principles, owned and sworn unto. And beside, this addition of new instructions did show, that the council looked upon them as their curates, and as obnoxious to their orders in church matters, and what concerneth the manner and way of their exercising of the ministerial function, as the other curates are unto the prelates, or as ever any minister was obnoxious to the canons and constitutions of general or provincial assemblies, in our best times. And let me enquire of these accepters, how they think such an act as this, had it been done, while the church was in possession of her power, would have been looked upon? and how our general assembly would have looked upon such ministers as should have submitted unto the like then, as they have done now? I suppose they will think, that if they had done so, they would have met with no less than deposition. And then let them consider, if that can be a commendable duty now, which would then have been such a transgression. And let them say whether or not, such do them great wrong, who, adhering to their former principles, must needs look on them, as *ipso jure* deposed.

It deserves to be noted here, that a libel was formed against one Mr William Weir, at this time indulged, and permitted

to preach in West Calder, and he was looked upon by the council, as one that most basely slighted their favour and indulgence, and was severely to be punished, because he thought it not sufficient to enter unto that charge, merely upon the act of the council; but to satisfy himself the more, as to his ground of entry, did receive a call from some of the heritors and people; and because in his first preaching to that people he declared his adherence to the solemn league and covenant, and that he did not acknowledge the power either of king or bishop, in matters belonging to the church of Christ; and in his next sermon said, that neither king nor council were the treasurers of the gospel, or of the ministry of it. And because the following day, he preached against the supremacy in matters ecclesiastical, and against prelacy; and because he had in preaching declared, that the civil magistrate had no power to appoint a day to be kept holy and observed in holy worship. By which we see, that the council taketh upon them to make a man his minister, though they plainly shew, that he was never owned as a minister by the church judicatories. Further we see, that the council's act, thus ordering these indulged ministers to the respective kirks, was all the call they had, or that they would acknowledge should be had, or required; and therefore the indulged have no call, but the call of the council as their ground. Further we hence see that the council's aim and end (among others) was to have the supremacy established, and prelacy; so that the very speaking against these, by such as were indulged, was sufficient to be the matter of a libel, and was looked on as criminal: What interpretation can then be given of the silence of others, thus indulged, as to these great points, let sober men judge; and whether or not, the council did suppose, that by this Indulgence, they had obtained so many coyduks, as did willingly submit thereunto.

I know several ministers, mentioned in this act, had not freedom to accept of this supposed favour of the Indulgence, and were therefore cited before the council: Among these, faithful and worthy Mr John Burnet, minister at Kilbride, near Glasgow, was one, who thought it his duty to give an open and plain account of his reasons to the council, why he could not submit to that Indulgence, and for this end, drew up his reasons in write, directing it to the council: But being prevented by sickness, and thereafter by death, did not get it presented, yet sent it to the chancellor, and left it, as his testimony against that evil, not changing what might have

been changed in the manner of its address, because of sickness and other inconveniences. I shall here set it down as he left it; not only because it was his testimony to the truth (and testimonies should be carefully kept, and committed to posterity;) but also because his reasons are weighty, and may help us to see more of the iniquity of this Indulgence. His paper was as followeth.

The draught of this Paper was framed purposely to the S. Council, as will appear in the very entry thereof, which mould I could not change, because of the want of health, and other inconveniences.

“**B**EING called before his majesty’s privy council to give an account of the reasons, why I have not accepted of this present Indulgence, granted by his most excellent majesty to several presbyterian ministers in Scotland, I desire humbly and in the fear of God (who standeth in the congregation of the mighty, and judgeth among the gods) to give this true, sober and ingenuous relation of such things, as did and do invincibly bind me, why I cannot accept of this late complex Indulgence, framed in three distinct acts of council, of the date Sept. 3^d and 7th, 1672. To which I shall premit these things briefly.

1. “That it is well known to all the protestant reformed churches abroad, concerning the constitution and government of this ancient church of Scotland for many years, and particularly in the year 1660. That it was framed according to the word of God; confirmed by many laudable and ancient laws of the kingdom; and solemnly sworn to by all ranks within the same.

2. “It is also found by lamentable experience, that since that time this ancient and apostolic government is wholly overturned in its very species and kind, and that by the introduction of lordly prelacy, which is tyrannically exercised; whereby the church was suddenly deprived of her lawfully called pastors, and their rooms filled by strangers, violently thrust in upon the people, many of whom have proven scandalous and insufficient.

3. The sad effects of these things are conspicuously apparent upon the face of this church this day, such as involving the land in great backsliding and defection; the abounding ignorance and atheism; the overflowing spate of sensuality and profaneness like to Sodom; the increase of popery and er-

ror through the land, even to the height of antichristian Paganism, and Quakerism; the sharp suffering and smartings of many of his majesty's loyal subjects through the land, merely because they cannot conform to the present prelatical frame; and finally the increase of animosities, dissensions, divisions, jealousies, and differences among the subjects.

4. "Whatever power sound and orthodox divines do acknowledge the magistrate to have, and may have exercised in a troubled and extraordinary state of the church; yet it is not at all yielded by them, that the magistrate may, in any ways, alter its warrantably established government, and so turn that same troubled and perplexed state and frame of the church, made such by himself, merely to be the subject of his ministerial, authoritative care and operation.

5. "That I be not mistaken, as denying to his majesty his just power in ecclesiastic matters, I do humbly and with great alacrity acknowledge, that the civil magistrate hath a power *circa sacra*, which power is objectively ecclesiastic; so as he by his royal authority may enjoin that whatsoever is commanded by the God of heaven, may be diligently done for the house of the God of heaven; which power also is by God's appointment only cumulative and auxiliary to the church, not privative, nor destructive, and is to be exercised always in a civil manner.

"As to the reasons of my not-acceptance of the present offer, and not repairing to the place designed by the council, they are,

1. "That our Lord Jesus Christ, Mediator, the King and Lawgiver of his own church, hath committed all ministerial authority, for government of his house, to his own church officers, as the first proper subject and receptacle thereof, John xx. 21. *As my Father sent me, so send I you.* Matth. xxviii 18, 19, 20. *All power is given to me in heaven and earth; go ye and preach the gospel.* 2 Cor. x. 8. *Our authority which the Lord hath given us for edification, and not for destruction,* &c. But so it is, that the act explanatory of his majesty's supremacy in the church, (whereupon the Act of Indulgence is grounded) doth not only claim the power to belong of right to his majesty and successors, as an inherent privilege of the crown, but doth actually also invest and clothe him with the formal exercise thereof in his own person, and that he may derive the same, and convey it to others, as in his royal wisdom he shall think fit: For his majesty is pleased to design and make application of ministers to congregations,

tions, and that, without the previous call of the people, and power of the presbytery (which would suppose the civil magistrate to have authority to judge of the suitableness of ministers parts and gifts to labour amongst such and such a people); as also to frame and prescribe ecclesiastic rules, relating to the exercise of the ministerial office, as also appointing a commission to plant and transplant ministers, as they shall think fit; notwithstanding that it hath been unanswerably evinced, that presbyterian government is founded on the word of God, and confirmed otherwise abundantly.

2. "Although I do freely disallow and condemn all tumultuary and seditious meetings (among which it is sad and grievous, that the peaceable meetings of the Lord's people for worship, and hearing the word soundly preached, should be reckoned,) yet I am so convinced in my heart of the Lord's blessing attending the preaching of the gospel (though not in a public parish church) as that I judge the narrative of the first act to go near to involve my acceptance of this Indulgence, being an interpretative condemning of the said meetings.

3. "There is a standing relation betwixt me and another flock, over which I was set by the appointment of Jesus Christ in his word, which tie can never really be dissolved by any other power than that which at first did make it up, and gave it a being: And after that I had ten years (during the English usurpation) wrestled in opposition to Quakers, and Independents, in the place where the first breach had been made upon the church of Scotland, I was without any ecclesiastic sentence thrust from the public exercise of my ministry in that place, where there will be 1200 examinable persons, whereof there were never 50 persons, yet to this day, who have subjected themselves to him, who is called the regular incumbent; and that even when I was living 30 miles distant from the place. Now what a door is hereby (by my being kept from my charge) opened to error, atheism and profaneness, may be easily conjectured by those who hear of the deplorable case of that people? and what a grief must it be to them, to have their own lawful pastor shut up in a corner, whereby we are both put out of a capacity to receive any more spiritual comfort flowing from that relation, which is yet in force betwixt us? or how is it to be imagined that any new supervenient relation can result betwixt another flock and me, by virtue of an act only of a mere civil judicatory? Beside, that the people, in whom I have present interest, are utterly rendered hopeless, by a clause in the end of the first act,

act, viz. *That the Indulgence is not hereafter to be extended in favours of any other congregation than these mentioned in the act*, whereof they in that parish are none.

4. “ That I will not offer to debate the magistrate’s sentence of confinement, let be his power to do the same; yet I shall soberly say, there are so many things attending the present application thereof to my person, that it cannot be expected I should give that obedience hereto, which might infer my own consent or approbation. For, 1. Though this confinement be called a gentle remedy of the great evils of the church, in the narrative of the first act, yet it is found to be a very sharp punishment, as it is circumstantiated. 2. All punishments, inflicted by magistrates on subjects, ought to relate to some cause or crime, and cannot be done arbitrarily, without oppression, which truth is ingraven on the light of nature; for Festus, a heathen man, Acts xxv. 27. could say, It seemeth to me unreasonable to send a prisoner and not withal to signify the crime laid against him; yet am I sentenced and sent in fetters to a congregation, without so much as being charged with any crime, and all the world are left to collect the reason of this censure. 3. If my confinement relate not to any crime, it must needs relate to a design, which design is obvious to common sense, viz. That I should preach and exercise the office of my ministry, wholly at the appointment and disposal of the civil magistrate; and a sentence of confinement is less obvious to debate and dispute by the subjects, and will more easily go down with any simple man, than an express command to preach, grounded on his majesty’s royal prerogative and supremacy, and cannot readily be refused by any, unless a man make himself to be constructed a squeamish wild fanatic, and expose himself to great sufferings; so this confinement, which hath both his majesty’s prerogative and supremacy in ecclesiastic matters in it, comes to me in room, and that directly, of the peoples call, and presbytery’s authority, and other ecclesiastic appointment. Now this design, however closely covered, I dare not in conscience, yea, I cannot (with the preservation of my judgment and principles) concur with, or be consentient thereto. 4. By the confinement I am put to an open shame before the world, and particularly in that place where I am permitted to preach the gospel: For what weight can my preaching or ministerial acts of discipline and government have, while I myself am handled and dealt with as a malefactor and transgressor, a rebel or traitor to my prince and nation? Or how

can I preach the word of the Lord freely and boldly against the sins of the times (as against profaneness, error, injustice and oppression) as ministers ought impartially to do, while I am kept under a perpetual check of the sword of the magistrate at my throat? This to me is not preaching, but an over-awed discourse: Moreover, I become a prey for any malicious prejudicate hearer, who shall happen to accuse and inform against me. Can I be answerable to God who sent me, to render up myself willingly to be a servant of men? Were not this to cut out my own tongue with my own hands?

5. This confinement is not simply or mainly of my person; (which sentence, if it were so, I should most willingly undergo) but it is of the office itself (the imprisonment of which ought to be sadder to me, than any personal suffering whatsoever) while, 1. It is not of me alone, but of all the presbyterian ministers in Scotland, a very few only excepted. 2. While the propagation of the gospel by the personal restraint of us all is manifestly obstructed. 3. We are cut off from the discharge of many necessary duties, which we owe to the nation and church; and especially at such a time, while she is in hazard to be swallowed up with a swarm of Jesuits, Quakers, and other damnable subverters of the truth; and (which is yet more) while three parts of the kingdom are groaning under the want of the word, faithfully preached, and some few shires only here in the west are made, as it were, the common goal of all the ministers, that are permitted to preach. 4. By this confinement, I lose an essential part of my ministry; which is the exercise of jurisdiction and church government; which yet Mr. Baxter (a very favourable non-conformist) asserts to be as essential to the office of a minister, as preaching of the word; the staff being as needful to the shepherd, as either the pig or the horn is; so says the scripture of preaching elders, Acts xx. 28. The Holy Ghost hath made you overseers or bishops, no less than teachers; a principal part of which government is ordination of ministers, for preservation of a succession of faithful men in the church; whereof by the act of confinement (as also is expressly provided by the last clause of the last act) we are intentionally deprived for ever, while it is in force: In losing of which one branch of our government, we undo our own cause with our own hands. I remember the first thing the ambitious Roman clergy invaded and usurped, was the jurisdiction and authority of presbyters, turning the ministers of Jesus Christ into the prelate's journeymen, making curates of them, only for preaching

preaching and intimating the bishop's mandates. And what else do I in this case, but make the ministry of the gospel in my person immediately dependent, in the exercise of it, upon the arbitrament of the civil magistrate.

5. "As for the permission and allowance I have to preach, when confined: This permission seemeth very fair, while I look on it abstractly, without relation to the rest of the particular circumstances of the act; for this would look like opening the door in part, which the magistrate himself had shut; but while I take it complexly with what else is joined with it, it doth presently carry another face, like some pictures or medals that have two or three different aspects to the eyes of the beholder: For permission to preach in any vacant church within the kingdom is so very great a favour, as for which I would desire to bless God, and thank his majesty most heartily: But take it without the previous call of the people, the authority and assistance of a presbytery, as it may be had; and take it without the exercise of discipline and government, but what is congregational, and so it is lame. Again, take it with the confinement, and other clogs and caveats contained in the 2^d act; or take it with the burden of being obliged to follow all matters (formerly referable to presbyteries and synods) before these presbyteries and synods, which are now constitute by bishops and their delegates; and so it is nothing but that same accommodation, which we formerly had in our offer from the bishop, and did refuse: And take it yet with the robbing of our own congregations, and with the depriving of three parts of four of the whole rest of the land, and then I have it to consider, whether this my permission to preach be not the putting of my neck under a heavier yoke, than it could be under before.

6. "The last reason (for brevity) is from the affinity with and dependence this Act of his majesty's royal Indulgence hath upon the late explanatory act of his majesty's supremacy; (which I desire with sorrow of heart to look upon, as the greatest encroachment can be made upon the crown and authority of Jesus Christ, who is only King and Lawgiver of his church upon earth) as will be evident by comparing the two acts together; for the act of his majesty's supremacy (besides the narrative) contains two principal parts, viz. (1.) The assertory of his majesty's supremacy, which is the main theme proposed to be explained, in these words: *The estates of parliament do hereby enact, assert and declare, that his majesty hath the supreme authority and supremacy over all persons,*

and in all causes ecclesiastic within this kingdom. (2.) The explanatory part follows, in so many most comprehensive and extensive branches and articles, thus: That by virtue thereof the ordering and disposal of the external government of the church doth properly belong to his majesty and his successors, as an inherent right of the crown, and that his majesty and successors may settle, enact and emit such constitutions, acts and orders, concerning the administration of the external government of the church, and the persons employed in the same, and concerning all ecclesiastical meetings and matters, to be proposed and determined therein, as they in their royal wisdom shall think fit.

“ Again, the Act of his majesty’s royal Indulgence, which is the exercise and actual application of his supremacy in matters ecclesiastic, may be taken up in these particulars comprehensively. (1.) The nomination and election of such and such ministers, to such and such respective places. (2.) A power to plant and transplant, put out and put in ministers to the church. (3.) The framing and prescribing rules and instructions, for limiting ministers in the exercise of the ministerial office. (4.) The ordaining inferior magistrates, as sheriffs, justices, &c. to inform the council every six months, under highest pains, anent the carriage of indulged ministers, and how they observe the foresaid rules. (5.) The confining of licenced ministers to one small corner of the kingdom, and declaring all other places and congregations whatsoever within this nation to be incapable of any share of this royal favour, except such places only as are expressly contained in the act itself. Now, that these particulars of the act of indulgence are of the same nature and kind with the articles explanatory of his majesty’s supremacy, will demonstratively appear by this plain argument, *viz. To settle, enact, emit constitutions, acts and orders concerning matters, meetings and persons ecclesiastic, according to their royal pleasure*, is the very substance and definition of his majesty’s supremacy, as it is explained by his estates of parliament. But the act of his majesty’s indulgence, in the whole five fore-named particulars thereof, is only to settle, enact and emit such constitutions, acts and orders, concerning matters, meetings, and persons ecclesiastical, according to royal pleasure: Therefore the Act of his majesty’s Indulgence is the substance and definition of his majesty’s supremacy, as it is explained by his estates of parliament. The rules and instructions for limiting ministers in the exercise of their office, as also the rest of the two fore-named

fore-named particulars of the Indulgence, are such, as I declare I cannot accept of them, or any other favour whatsoever, upon such terms and conditions; because they contain the downright exercise of Erastianism, (as I humbly conceive; and a discretive judgment of such acts as a man resolving to practise cannot be denied him, unless men be turned into brutes, and so be ruled no more as reasonable creatures) namely, the magistrate by his proper and elicit acts, doing that which is purely spiritual and ecclesiastic, as a nomothetic head and lawgiver, framing such laws and constitutions ecclesiastic, as are not competent for any ministerial or declarative power to enact or impose; but of that power only, which is absolutely sovereign: and whatsoever will militate against an ecclesiastic person, to arrogate to himself to be Christ's vicar on earth, and a visible head, to give and make laws for the church, according to his pleasure; the same also will make much against any other, though the greatest in the world, to assume to himself this prerogative, so long as he can produce no divine warrant for this claim. A more particular consideration of these rules, and other particulars, I must needs (for brevity) forbear.

My Noble Lord,

“**H**AVING, in the singleness of my heart, and I trust without any just ground of offence, given this short and sober account of the reasons why I have not made use of his majesty's royal favour and indulgence; and being fully persuaded in my conscience, that both magistracy and ministry are God's ordinance, and no ways destructive, but mutually helpful one to another; so that I cannot but earnestly long, that the Lord, who hath the hearts of kings and rulers in his hand, would put it in the heart of our great sovereign (and in your grace's heart to be instrumental therein) that he would grant us, ministers, liberty to make full proof of that ministry, which the Lord hath given us for edification, and not for destruction; that we might have the opportunity to make it appear, that the government, which the Lord Jesus hath appointed in his church, doth well consist and agree with the magistrate's civil government in the state, that so I and all others, my outed brethren, may have access to our former charges, or other congregations, as we shall have opportunity of a cordial invitation from the people, with the assistance and help authoritatively of lawful church judicatories, until such time as God shall grant a patent way to return to our own charges.

charges. (2.) And that presbyterian ministers may have access to his majesty for representing just grievances, which press heavily our consciences, and the consciences of the people, his majesty's loyal and faithful subjects in the land. In granting of which necessary and just desire, I your grace's servant shall be a humble suppliant at the throne of grace, for the preservation of his majesty's person, the establishing of his throne in righteousness; and that the Lord would pour forth the spirit of righteous judgment on your grace, that the Lord may be blest, and your grace may find mercy in the day of visitation.

J. BURNET.

By this free and faithful testimony, we see what reasons moved him not to accept of this supposed favour; and particularly we may observe, that one main reason was, the relation and affinity that was betwixt the Act of Indulgence, and the explicatory Act of Supremacy; so that whoever accepted of this Indulgence, could not but be looked upon as virtually and materially (at least) approving and consenting to the Supremacy; and what iniquity lieth wrapped up in this, a few words could not express.

But, moreover, there were ten ministers (I suppose worthy Mr John Burnet fore-mentioned was one of them) who did meet together upon the same account, to draw up reasons of their refusing the Indulgence, to be presented unto the council: But though the paper was drawn up and subscribed, yet I did not hear that it was presented. However, because it may also contribute some light and confirmation, I shall set it down here as I had it.

“ **A**LL of us being concerned and reached by the late Act of Indulgence and confinement, and some of us being already cited to give an account, why we have not accepted the same, do humbly desire, in the fear of God, (who standeth in the congregation of the mighty, and judgeth among the gods) to give this true, sober and ingenuous relation of the reasons, which lie weighty on our consciences, and bind us up from compliance with your LL. commands in this matter, briefly premitting, *first*, That our non-compearance hath not flowed from any contempt of, or disrespect unto authority (which we always highly esteem in the Lord, as our consciences bear us witness, resolving through grace to submit thereto, in all things lawful) but from the apprehension we have conceived of the hazard of our ministry and persons

persons thereby, lest by our personal appearance, and signifying our reasons *coram*, we might have probably irritated your LL. Secondly, That we be not mistaken, as denying to his majesty his just power, in reference to ecclesiastic matters, we do heartily and with great alacrity acknowledge, that the civil magistrate hath a power *circa sacra*, objectively ecclesiastic; so as he by his royal authority may enjoin, that whatsoever is commanded by the God of heaven, may be diligently done for the house of the God of heaven: Which power is only cumulative and auxiliary to the church, not privative nor destructive, and is to be exercised always *modo civili*.

“As to the reasons, amongst many which might be adduced, (not willing to trouble your LL. with prolixity) we humbly propose these few.

1. “That our blessed Lord Jesus Christ, Mediator, the only Head, King and Lawgiver of his own church, hath committed all ministerial power and authority for government of his house, to his own church officers, as the first proper subject and receptacle thereof, John xx. 21. Matth. xvi. 19. and xviii. 18, 20. and xxviii. 18, 19, 20. 2 Cor. x. 8. But so it is, that the act explanatory of his majesty's supremacy in the church, whereupon this Act of Indulgence is founded, doth ascribe this power to his majesty and his successors, as an inherent right of the crown; and actually invests him with the formal exercise thereof, in his own person, deriving and conveying the same to others, as he in his royal wisdom shall think fit: And that the Act of Indulgence appeareth to be the exercise and actual application of the supremacy in matters ecclesiastic, is obvious by comparing the two acts together, namely in these three particulars. (1.) The nomination and election of such and such ministers to such and such respective congregations, and that without the previous call of the people, and power of lawful church judicatories; which supposeth the civil magistrate to have authority to judge of the suitableness of ministers gifts and qualifications, to labour among such and such people. (2.) A power to plant and transplant, to put out and to put in ministers in the church, and actually clothing persons merely civil with power for that effect. (3.) The framing and prescribing ecclesiastic canons and instructions, for regulating the exercise of the ministerial office: all which are proper, intrinsic and formal acts of church power, belonging by virtue of Christ's institution to church officers.

2. " Although we do freely difallow and condemn all tumultuary and seditious meetings (amongst which it is sad and grievous that the peaceable meetings of the Lord's people, for worship and hearing of the word soundly preached, should be reckoned) yet are we so convinced and persuaded in our hearts of the Lord's blessing, attending the preaching of the gospel, though not in a public parish church, as that we judge the narrative of the first act goes near to involve the accepters of this Indulgence in an interpretative condemning of the said meetings; which we in conscience dare not do, being commanded to abstain from all appearance of evil, 1 Thess. v. 22.

3. " There being a standing relation betwixt us and those flocks, over which the Holy Ghost hath made us overseers, according to Christ's institution in his word, the sense of which tie engageth us, to have special regard to these flocks, until that be dissolved by the same power, that made it up and gave it a being; besides that by keeping us from our charges, a wide door is opened to error, atheism and profanity, and we disabled to discharge the trust committed to us by Christ, for which we must be answerable to him in that great day of accounts: What a grief must it be to the people to have their own lawful pastors shut up in a corner, whereby both we and they are put out of a capacity for performing of those duties, which tend to our mutual comfort and edification; which no doubt is much aggravated by the intrusion of others, whom they cannot acknowledge as their lawful pastors, they looking on the former relation as yet in force.

4. " Though we be far from questioning the magistrate's just power to confine any of his subjects within his dominions; yet there are several things in the present complex case, which we do humbly desire to present to your LL. as burdensome to our consciences. As, (1.) That this confinement is not simply of our persons, but of the ministry itself, the imprisonment of which should be sadder to us, than any personal suffering whatsoever: while, *first*, It is not of one or two, but of all the presbyterian ministers of the church of Scotland, a very few only excepted. *Secondly*, While the propagation of the gospel, by the personal restraint of us all, is manifestly obstructed. *Thirdly*, We are cut off from the discharge of many necessary duties, which we owe to this national church; and especially at such a time, when so much in hazard to be swallowed up with the flood of Jesuits, Quakers, and other damnable subverters of the truth; and which

is yet more, that the three parts of the kingdom are groaning under the want of the word faithfully preached. As also by this confinement, we lose the exercise of an essential part of our ministry, *viz.* Jurisdiction and church government; a principal part whereof is ordination of ministers, for preservation of a succession of faithful men in the church, whereof by this act of confinement (as is also expressly provided by the last clause of the last act) we are intentionally deprived for ever, while it is in force; in losing which, we do bury our cause with our own hands. (2.) We cannot but sadly regret, that no physical restraint is put upon Papists and Quakers, yea, while their meetings and conventicles have been found and known, yet not at all quarrelled. But the meetings of orthodox protestants hunted, pursued and obstructed, to the great grief of all the godly in the land, though nothing hath been found in them to the prejudice of the peace of the kingdom, or his majesty's true interest. (3.) It is no small grievance, that we are cast in two's and three's in one parish, where there is no need of our ministry, nor accommodation for our families, while there are thousands left to the oversight of others, both insufficient and scandalous.

5. " By the last Act of this Indulgence, all ministers not indulged are prohibited the exercise of their ministry, even as to the preaching of the word, except in the places of their respective confinements, and that upon a call from the incumbent allanerly: And in their summons are required to engage to the same; which being contrary to the scripture commands, and the commission delivered to us by the Lord Jesus, for feeding of his people by the everlasting gospel, doth cast us upon a sad dilemma either of disobeying God, or your LL so that we must say, Whether it be better to obey God or men, judge ye.

" And now, my lords, having in the singleness of our hearts, and, we hope, without any just ground of offence, given this short and serious representation of our thoughts, in this affair; we humbly intreat your LL. to give a favourable hearing to these our subsequent just and necessary desires, *viz.* 1. That your LL. would not construe our non-compliance with the Indulgence, as tendered in the fore-mentioned acts, to proceed from humour and peevishness, but from conscience, which makes us, that we dare not be silent in matters of so great concernment to our Lord and Master, to whom in the first place we owe fidelity, upon all highest pains; and that our hearts may not condemn us, in withholding

holding from Cæsar what is Cæsar's, nor in giving to him, what is the Lord's. 2. That we be not pressed to go to our confinements, nor proceeded against as disloyal, and contemners of authority, on that account; and that we may have liberty to preach the gospel to our own respective flocks, and to others, as we have access in providence. 3. That your LL. would be pleased to deal with his majesty to take off the legal restraints on our ministry and persons; that we may peaceably give ourselves to the work of the ministry, for the edification of the body of Christ. 4. And lastly, That your LL. would seriously consider, in the sight of the most high God (before whose tribunal we are shortly to appear, and give an account of our actions) the heavy pressures and burdens, lying on the consciences of ministers and people for mere preaching, and hearing of the word; which pressures have mainly flowed from the heavy yoke of prelacy, (a plant that our heavenly Father never planted, under which this church hath groaned those many years. And also we most humbly beseech your LL. that what favour it shall please his majesty in his royal clemency to grant, may not be inconsistent with our known principles, to which we stand engaged by solemn covenant and oaths. In granting of which desires, as your LL. will undoubtedly make glad the hearts of many thousands of his majesty's loyal subjects; so ye will much encourage us, your humble petitioners, to continue serious supplicants at the throne of grace, for establishing his majesty's throne in righteousness, and for pouring out a spirit of righteous judgment; that we may lead a peaceable and quiet life, in all godliness and honesty."

By these testimonies and papers, howbeit not all presented either to the chancellor or council, as was in singleness intended by some, we may see, that there wanted not weighty reasons to have moved such, as loved to walk tenderly and circumspectly in such a day of trial and snares, to have peremptorily refused this so dangerous, so ensnaring, so scandalous, and so destructive an Indulgence.

We shall now proceed in our history, and hasten to an end thereof. The following year, to wit, 1673, some ministers, who had been indulged, were now cited before the council, for not observing the 29th of May, and other instructions given unto them, of which, and of the carriage of these ministers at that time, we shall take occasion hereafter to speak more fully, and shall content ourselves now with the simple relation of the matter, as it stands in the registers.

— UPON

“UPON the 8th day of July 1673, the ministers under-written, who were indulged to preach at the kirks, specified in the council’s act of Sept. 3. 1672. and formerly, being convened before the council, *viz.* Mr John Crawford, Mr Anthony Murray, Mr John Hamiltoun, Mr John Oliphant, Mr James Currie, Mr John Lauder, Mr John Stirling, Mr James Hutcheson, Mr John Bairdy, Mr John Eccles, Mr Andrew Dalrymple, Mr John Gemmil, Mr Hugh Campbell, Mr Alexander Blair, Mr James Veitch, Mr William Fullertoun, Mr John Hutcheson, Mr Robert Miller, Mr George Hutcheson, Mr John Spading, Mr John Wallace, and Mr William Maitland; and all of them, except the said Mr John Bairdy, Mr John Crawford, and Mr William Fullertoun, compearing, and all of them, except the said Mr John Spading, Mr John Wallace, and Mr William Maitland, acknowledging that they had not observed the 29th of May 1673, the council did find them to have contravened the 12th act of the third session of his majesty’s second parliament, and therefore fined ilk one of them in the half of their respective proportions of the stipends, allowed to them by the Act of Indulgence, and that for the crop and year of God 1673. And in regard the said Mr John Spading, Mr John Wallace, and Mr William Maitland did observe the 29th of May, the lords of council assailed them; and ordained the three persons not compearing to be denounced rebels. And further, the said Mr Alex. Blair, minister at Gastoun, having publicly disowned the king and council’s power, in giving them these instructions, appointed for the indulged ministers; the lords of council did ordain him immediately to be carried to the tolbooth of Edinburgh, and there to be kept close prisoner, until further order. And in regard divers of these indulged ministers did pretend, they had not received the said instructions, did cause deliver to them extracts thereof at the bar, that they might pretend no ignorance of the same.”

Edinburgh, 10. July 1673.

“The ministers under-written being convened for the cause foresaid, were fined *ut supra*, upon their own confession, *viz.* Mr John M’Michen and John Sempil. And Mr John Colt not compearing was ordered to be denounced.”

Edinburgh, the last of July 1673.

“The ministers under-written were also fined upon their own confession, *ut supra*, for the causes foresaid *viz.* Mr John Scott, Mr James Fletcher, and Mr Robert Mowat.”

“ Upon the 4th of September 1673, Mr Alexander Blair is ordered to have liberty upon caution, that during the time of his enlargement, he should keep himself in the house of Jean Weir, nigh the Weigh-house of Edinburgh, and re-enter his person within the tolbooth thereof, within the space of one month. And that during the said space, he should not keep any meetings, contrary to the standing laws of the kingdom. under the pain of 5000 marks Scots money. And upon the 8th of January 1674, his enlargement is prorogated for the space of fourteen days, upon caution of the sum, and in the former terms.”

But before this short time was fully at an end, he was called home to his Master's joy: of whom, and of the ground of his particular sufferings, we will have occasion to speak something hereafter; and therefore it will be sufficient at present, for clearing of what is past concerning him, to give a short deduction of the matter. When Mr Blair, and others (as we saw above) were called before the council, upon the occasion mentioned, the council enquired if they had observed the instructions that were given unto them; some answered, that they had never seen them; whereupon the council resolved, to prevent this excuse in time coming, to give to every one of them, *coram*, a copy of these instructions. When the day appointed hereunto cometh, they all compear (what was their deliberations and resolutions, in the interim, and what was the carriage of the rest, that day, we will have a fit occasion to speak hereafter) the copy of the instructions is given to each of them, standing *coram* at the bar; several had received them before they were presented to Mr Blair; but when they are given to him, he, being moved with zeal, and remembering whose ambassador he was, told the council plainly, that he could receive no instructions from them, to regulate him in the exercise of his ministry, otherwise he should not be Christ's ambassador, but theirs; and herewith letteth their instructions drop out of his hand, knowing of no other *salvo*, or manner of testifying for the truth, in the case. The council, seeing what a direct opposition this was unto them in their designs, in a rage sent him with a macer unto prison; which made a great noise in the city, the more serious, though sorrowful at his sufferings, yet rejoicing that he had witnessed a good confession, and so had perpetuated the testimony of the church of Scotland her patience. This could not but carry some sad reflection with it on the rest, who had received, and come away with these instructions in their
hand;

hard; wherefore some judicious and serious ministers in the town, being filled with shame and sorrow both at what past, endeavoured to call the rest together, that they might own Mr Blair's testimony, vindicate themselves, and prevent the contempt, under which otherwise they would lie; but tho' they did meet, yet nothing of this kind could be granted; some would not move one step forward; and the rest, out of a pretence of love to union, though in evil, would not leave them; but they all, notwithstanding of all their love to union, left Mr Blair alone, who yet was not alone; his Master's presence making up the want of his brethren's fellowship: at this meeting, I heard there was a motion made, that some should be appointed to write about the magistrate's power in church matters; as if they, forsooth, could have found out new principles, to have justified their own proceedings, so point-blank contrary to all the actings of the church of Scotland, and of the faithful in it, from the beginning; and if the person that drew their vindication (of which afterward) was appointed hereunto, I should have expected nothing but a piece of Vedelian pedantry: But it was good, that this motion was also laid aside. However faithful and honest Mr Blair must moreover suffer by their tongues; for they were not ashamed to say, that all his suffering was for his rude and unsuitable carriage before the council, though all that knew him, knew him to have as much of a gentleman, and of good-breeding, as any of them: But the truth was (as a faithful person, to whom he himself spoke it, did report) he had that day bowed the knee to the Father of our Lord Jesus Christ, and with much earnestness begged counsel and courage, in order to a suitable carriage, at that appearance, and finding his heart enlarged, did not leave praying that morning, until he had obtained some assurance, he should be assisted; and therefore came before the council, with Micaiah's rudeness (if so it must be called,) as having got a sight of his Royal Master, and durst do, or receive nothing, that might countenance an encroachment upon his prerogative royal. It was also known, that some of those, who in their previous meeting voted for Mr Blair being their mouth before the council, said now, they were glad he was not, for then he had marred all their business: And in a vindication of the rest, emitted by some of their number, he is also (as we shall hear) lashed, and that with the *intrado* of *hinc illa lachryma*, as if he had done more hurt by this testimony, than his own, and the lives of many were worth. While worthy Mr Blair is (as we have seen) in

prison, he falleth very sick, and friends and physicians fearing his disease should prove mortal, he with much difficulty obtained the liberty mentioned, until he was taken home to glory. It is worthy of our noticing, that during the time both of this imprisonment and confinement as the sufferings of Christ abounded in him, so his consolations also abounded by Jesus Christ, for all who conversed with him returned comforted by seeing and sharing of his consolations; and particularly when drawing nigh to his end, how was his soul made to rejoice, in reflecting on his being honoured and helped to give that testimony? And with what horror and indignation would he express himself, upon supposition he had done less than he did; yea, all his grief and regret was, that he had not done more. At length, when the time of the liberty granted to abide in his chamber, was almost expired, his glorious Master, who would want him no longer, nor suffer him to want the confessor's reward, sent and rescued him from the rage of persecutors, and from the reproaches of his deserting brethren, and took him home to his Master's joy; and the sound of, *Well done good and faithful servant*, filling his ears, made him shut his eyes singing, and give up the ghost in assurance of being embraced, and of having access to embrace.

From all this, these things are observable, 1. That God, by the speaking significations he gave of his complacency in the freedom and fidelity of his servant, wrote a sufficient refutation of all that was said by some, to disgrace both him and his cause. 2. That here is a new witness from heaven against these invasions. 3. As also against the Indulgence, and the taking these instructions. Beside, 4. The encouragement given to all to abide faithful, in avowing Christ's prerogatives, and the privileges of his church and kingdom, even though abandoned of all, who should bear them company, or go before them.

Ere we return to take further notice of what past, when the fore-mentioned indulged ministers compeared before the council, we shall, for a close out of the registers, mention these following acts.

Edinburgh, 6. Feb. 1673.

“ **A** NENT a petition, presented by Mr Robert Hunter, now minister at Burrowstouness, that conform to an act of council, the petitioner did serve the cure at the kirk of Duning for the 1671 and 1672 years, and after Martinmas last did transport himself to the kirk of Burrowstouness, conform

conform to the council's order. And therefore humbly supplicating, that the stipend of the said parish of Duning for the said two years might be appointed to be paid to him. The lords of his majesty's privy-council, having heard and considered the said petition, do ordain the said stipend of the said parish, for the said two years, to be paid to the supplicant; and that letters of horning be directed for that effect."

In the year 1676, there came forth an open proclamation, dated March 1.

"**T**HE lords of his majesty's privy council considering that by their act of the 3. Sept. 1672, they did order and appoint divers outed ministers, to repair to the several parishes therein specified; and to remain therein confined, permitting and allowing them to preach and exercise the other parts of the ministerial function in those parishes, and did require and enjoin these ministers, or any other ministers indulged by former acts of council, to keep and observe the instructions following, as they would be answerable.

"That they should not presume to marry or baptize any, except such as belonged to the parish, to which they were confined, or to the neighbouring parishes vacant or wanting ministers for the time.

"That all ministers indulged, in one and the same diocess, should celebrate the communion upon one and the same Lord's day, and that they should admit none to their communions belonging to other parishes, without certificates from the ministers thereof.

"That they should preach only in these kirks, and not in the church-yards, nor in any place else, under the pain to be repute and punished as keepers of conventicles.

"That they should remain within, and not depart forth of the parishes to which they are confined, without licence from the bishop of the diocess only.

"And whereas it is informed, that the said outed ministers, indulged as aforesaid, (at least many of them) have violated and contravened the foresaid orders and instructions (upon which terms they were permitted and indulged to preach and exercise the other functions of the ministry) whereby many disorders are occasioned. The said lords do therefore, of new again, require and command all these indulged ministers to keep and observe the foresaid orders and instructions, in time coming, and specially for keeping within the bounds of their paroches, and celebrating the communion

nion upon one and the same Lord's day, as they will be answerable at their peril. And ordains these presents to be printed, and copies thereof sent to the several ministers."

Nothing needeth be here observed beside the parenthesis, where it is said, that the observation of these instructions was the terms upon which they were indulged; and therefore when they accepted of the Indulgence on such terms, they consented to them, and professed and declared their willingness to accept of their ministry, and of the free exercise thereof upon these conditions; so that whether they observed them punctually afterward or not, the bargain was established, and they became obliged by their own deed, in accepting of these favours granted on these conditions, to observe the instructions carefully; and it was too late to say afterward, that the conditions were not lawful, and therefore could not be observed, for that should have been said at first; and even upon that account alone, had there been nothing else, they should have plainly and peremptorily rejected the supposed favour. Nor will it avail to say, that they knew not, that the punctual observing of these instructions was made the condition of the granted favour; for though at first these instructions, when given, were not expressly so called; yet the manner of proposal was such, as all who desired not willingly to run into a snare, might have been convinced, that so and no other ways they were intended, and upon the matter could carry no other import. And if any were invincibly ignorant hereof, at their first accepting of the Indulgence; yet now, when such a printed proclamation came forth, wherein this was *in terminis* expressed, and the printed proclamation ordered to be sent unto each of them, they could no longer pretend ignorance; and therefore were called, if they had been formerly really circumvented and cheated, now openly to have declared their unwillingness to accept of the Indulgence on these terms; and henceforth to have abandoned the same, and followed their brethren to the mountains. But now, when this was not done, but they remained in their warm nests, how they can plead innocent before God, or man, I see not.

We proceed to relate a few things following.

Edinburgh, 3 Aug. 1676-

"**T**HE lords of his majesty's privy council do hereby ordain Mr John Stirling, minister, who is confined to the parish at Hounam, by an act of council and indulged to preach in that parish, to transport himself from thence to the town of Irwing, and confine himself to the town and parish of Irwing, with

with liberty to preach and exercise the other functions of the ministry in that parish, as he did in the former, according to the instructions of the council, given to the rest of the indulged ministers."

By which we see, that the simple act of the council is the all and only ground of transportation from one place to another; and that always the instructions must go along with them, as the constant companion of the Indulgence.

Edinburgh, 9. Nov. 1676.

"**H**AVING heard and considered a petition, presented by the magistrates of the burgh of Irwing, supplicating that the stipend of the parish of Irwing, vacant in the year 1676, might be allowed to the petitioners, for defraying the expences, that Mr John Stirling will be at, in transporting himself to Irwing, and repairing the kirk, school and bridge of Irwing. Do allow the supplicants the stipend of the said parish for the year 1676, instant, which is vacant, for defraying the expences of the said Mr John Stirling, and repairing the kirk, school and bridge of Irwing; and, if need be, ordains letters of horning to be direct hereupon in form as effects.

Edinburgh, 1. March 1677.

"**A**NENT a petition presented by Mr William Maitland, minister at Beith, shewing that the petitioner hath served the cure, at the said kirk, the two bygone years, 1675 and 1676, without receiving any stipend, albeit he hath himself and a numerous family to maintain, which he will not be longer able to undergo, unless the lords of council be pleased to allow him the said stipend for the said two years service: And therefore humbly supplicating, that an order and warrant might be granted for that effect, in manner under-written. The lords of his majesty's privy council, having heard and considered the foresaid petition, do hereby grant order and warrant to the heritors and others liable in payment of the stipend of the said parish of Beith, to make payment of the same to the petitioner, and that for ilk one of the said crops and years of God 1675 and 1676, and ordains letters of horning and others to be direct thereupon, in form as effects."

Edinburgh, 7. March 1677.

"**T**HE lords of his majesty's privy council, do hereby ordain Mr Alexander Hamiltoun, who is by act of council confined to the parish of Dalmeny, and permitted to preach there, during their pleasure, to remove himself from
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the said parish of Dalmeny to the parish of Dalserfe, and that betwixt and the fifth day of April next, and to confine himself within the said parish of Dalserfe till further order, as he will be answerable at his peril. And do hereby permit and allow the said Mr Alexander Hamiltoun to preach and exercise the other functions of the ministry in the said parish, till further order from the council, upon the same terms, that he hath exercised his office formerly in the said kirk of Dalmeny."

So that we see the whole exercise of the ministry, is, by this Indulgence, wholly at the free and arbitrary disposal of the council, and depending upon their orders. As also, we see that the observation of the instructions is an essential part of the bargain, being the terms and condition on which the Indulgence is granted.

There came forth a printed proclamation Aug. 10. 1677, as followeth.

"**F**Orasmuch as the lords of his majesty's privy council, in pursuance of his majesty's commands, signified to them by a letter of June 7. 1669, did confine several outed ministers to particular parishes, with allowance to preach and exercise the other functions of the ministry within the same, and did deliver to them certain instructions, to be kept and observed; upon which they did accept the indulgence granted to them. And albeit these instructions have been frequently repeated, and sent to these ministers, yet divers of them have contravened the same, without any manner of regard thereto. And whereas by his majesty's letter foresaid, it is left to the said lords, to allow to these ministers such parts of the stipends as they should think fit; and that from time to time, the council hath given orders and warrants to the heritors and others, liable in payment of the stipend, to make payment thereof, as they saw cause; without which special warrant, they could not, nor cannot, warrantably pay the same. Notwithstanding whereof, it is informed that several heritors have paid, or intend to pay these stipends, without special warrant and order. The said lords do therefore prohibit and discharge all heritors, seuers, life-renters, and others, liable in payment of the stipends of the parishes, where these ministers are confined, to make payment of any part of the stipend to them, for the crop and year 1677, and in time coming, without a special order and warrant from the council, under the penalty of being liable in payment of the said stipend

pend again, to such as the council shall appoint, and further censured for their contempt, and ordains these presents to be printed, and published upon a sabbath-day at the several parish-kirks, where the said ministers are confined, that no person pretend ignorance."

In the proclamation emitted in the preceding year, 1676, the council said, in plain terms, that they granted the Indulgence, upon condition that the indulged should observe the instructions given; and here, they say, that the indulged did accept of the indulgence granted to them, upon these terms; whereby we see that it was a full and formal compact, and the Indulgence was both granted and accepted upon the terms specified. What can now be said for vindication of these accepters, I cannot imagine. If they should say, That all this is but the deed of the council, with which they are not concerned. Yet it is certain, that every one is master of his own favours, and may dispense them on what terms he pleaseth; and when the terms are known, upon which such favours are granted, and the favours formerly accepted are held, though the conditions should seem hard, yet the favour is embraced *cum hoc onere*; and any after signification of a dissatisfaction cannot but be unseasonable and insignificant. It would now have been thought, if the indulged had not been satisfied with the terms, after such public intimations were made unto the whole nation, both of the grant of the favours, and of their acceptance, upon these terms, they would have signified their dissatisfaction with the bargain, and rejected the favour of the Indulgence, which they could have upon none, but sinful terms; especially now when their silence, and continuing in the possession of the favour, did not only interpretatively, but plainly and expressly, in the sight of the whole nation, say, they were satisfied with the terms, and would rather submit unto them, than lose the benefit they had received in and by the Indulgence.

Upon which account possibly it was, that the council, seeing that they had attained their end, in granting the Indulgence, and had found the indulged so calm and pliable to submit to any terms they pleased to propose, did mitigate, within two months thereafter, the severity of the last act, in so far, as concerned the stipends; for Oct. 5. 1677, this act was made, with which I shall end this historical relation.

Edinburgh, Oct. 5. 1677.

“THE lords of council thought fit, that the indulged ministers shall not be put to a necessity of seeking yearly warrants for their stipends: But authorizeth and appointeth the heritors of the parishes, where they serve, to pay them their stipends, according as they serve the cure, in whole, or in part. And do declare, that if any of these indulged ministers shall be found to contravene their instructions, the council will proceed against them, as they shall see occasion. And recommends to the respective commissioners, appointed by the council, for putting the decreets of council, &c. and acts against conventicles and others, in execution, to see them keep their confinements, and to report if they find them transgress.”

We have thus deduced this business of the Indulgence unto this period; and, as occasion offered, have hinted all along such remarks, as might suffice to give understanding in the matter, and to clear up the true state of the question unto the understanding and unprejudged reader. And from what is said, the judicious may see what is to be said of the Indulgence, and of those ministers, who have thus accepted thereof, though no more were said: Yet that fuller satisfaction may be given in this matter, I shall, according as I promised, turn back a little, and take notice of some things that fell out *anno* 1673, when several of the indulged were (as we heard) called before the council, for not observing the 29th of May, and the instructions that had been given to them, whereby we may be helped to some further clearness in this affair.

And in this examination, I shall, as to the ground I go upon, be favourable to the indulged, beyond all exceptions; for I shall only take notice of the relation of what passed, as made by one of themselves, in *A Narrative* (as it is called) *concerning the carriage of some ministers, who appeared before the council in July last, (to wit, 1673) written in answer to a friend, who desired to be informed about that affair; and what truth or falsehood was in that paper, scattered up and down among the people, concerning the same.* And I suppose no man will blame me for grounding my discourse against the Indulgence, and indulged, upon this Narration, seeing it may be supposed, that this would be made as favourable to them and their cause, as truth would suffer; and I shall be loth to question matters of fact; nor shall it be necessary for me to examine every word in that paper, it being sufficient

sufficient for my present business, to touch upon those things which are most material, and which concern our present question.

This author tells us, that *there were a considerable number of ministers, who had obtained liberty from the magistrate to preach publicly, without hazard of that legal restraint under which they lay before, cited before the council.* But, not to exaggerate that word *obtained*, which would import, that these ministers had been too active in procuring to themselves that liberty, as it is called; which, whether it was so or not, I cannot determine, though this expression would give the reader ground to suppose that indeed it had been so; I only observe, that his construction of the Indulgence, and his description thereof here given, appeareth too favourable, and more favourable than true; for sure there was more than this in the Indulgence; matters had been thus, if the act of Glasgow had been simply repealed, and every man permitted to return home to his own charge: But when that is not done, but every one of them sent to such places, as the council thought meet, and appointed and ordained, there to abide, and to exerce the function of the ministry, with such and such limitations, and upon certain conditions held forth and made known, and (as the council saith) accepted and submitted to, it is manifest that the matter had a far other face. Beside, that the granting of liberty to preach publicly without hazard, needed no such act of parliament, as is the act of supremacy, to save the granters in law, and make the grant to stand good in law. But what for a possession this liberty is, the charter, by which it is confirmed, may tell us. It can be no lawful possession before God, which must have such a *de novo damus*, and charter to secure it: And that the Indulgence could not stand without this, we have seen above; and how, notwithstanding of all that liberty, the indulged could not be secure, in point of law, until this explanatory act of the supremacy had past in parliament, *anno 1669*, whereby not only what was done by king and council, in licensing of so many, before that act, was declared to be legal, because of the king's supremacy in church affairs, never before so amply and fully declared and explained; but way made for prosecuting the same design, in time coming; according as it came to pass. When the Indulgence standeth engaged thus unto, and under the favourable aspect of that unparal-
lelled supremacy; who, that is not wholly devoted unto the supremacy, can give such a favourable verdict of the Indul-

gence, as this author did? Besides, that impartial on-lookers will judge, that there was much more in this Indulgence, seeing it is obvious enough how the contrivance was made to break the honest suffering party, and (as some of the chief contrivers said) to divide betwixt the mad-cap phanatics and the more sober; to confirm the usurpation; to strengthen the hands of adversaries; to suppress and keep down the glorious and blessed assemblings of the Lord's people, and to settle people in a sinful silence and stupid submission to all the encroachments made on the prerogatives of the crown of Christ, and on the privileges of his church, and to the overturning of the whole work of God; and not only the *intentio operantium*, (which wise men so circumstantiated, as they were, were called to eye and consider) was obvious and clear; but also the *intentio operis* was undeniable; however we may please ourselves, in devising terms of mincing and extenuating, whereby to paint it forth, as well as we can, if not so, as that it shall appear beautiful; yet so as that it may not appear so deformed, as indeed it is, and will be to all that view it in a just and upright mirror.

He saith, that *it is not easy nor necessary to tell what was said to or by every one of them, they being called in one by one; but this is certain, that all of them (except two, who were dismissed upon their declaring that they had preached on that day only because it fell to be their lecture-day) declared that they had not preached on that day, and did agree in substance upon this ground of their forbearance, that it did not flow from any disloyalty or disaffection to authority; but that they had not freedom to observe any solemn fixed anniversary day for religious worship, besides the Lord's day.* To which I shall only crave leave to say, not questioning the account he giveth here, though the council's books tell us that there were three assailed, and that because of their observing that day; nor taking notice, that the Lord's day is no anniversary day, but a weekly solemn day; nor doubting of the first part of their apology; for as to some, it may be more than probable, that such was their loyal affection to authority, that for fear of offending, they did not hold forth and plainly show the true ground, as they ought to have done. I grant the parliament's calling that day, an *holy day*, might give ground of scrupling to conscientious persons: Yet I suppose, it is well enough known, that this denomination was not the effect of true devotion, nor yet of superstition; the day being observed, rather in honour of Bacchus, than of the true and living God; and that
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the principal thing intended, was a solemn, universal, and anniversary condemnation of the work of reformation, which was so fully signified in the very narrative of the act, that I wonder these brethren did not give this, as the ground of their non-observing of that day. I shall not think, that they thought themselves free to abstract from that narrative, and not once to notice it; seeing they could not abstract simple preaching on that day, from its due observation; and seeing every one knows, that every observation of a day holy, or civil, appointed by men, doth homologate the grounds and reasons of the institution.

But passing this, which is not of moment, as to our present business, he tells us, *that there were four of the brethren called in together upon particular summons, for baptizing of children of other congregations: To which, among other legal defences, (whereof he can give no particular account) they gave this answer; that these acts, relating to that matter, were never intimated unto them. Upon which they were told by my lord chancellor they should get them; and so all were commanded to appear again the following Tuesday.* As to this, we may see, that the council did suppose those acts to have been made known unto them: And that, so far as the council did know, all the rest, save these four, had observed the injunctions, otherwise they had been challenged upon the violation of them, as well as these four. As to this answer, given by these four, I suppose the rest will willingly acknowledge, that it was not sufficient; and that another answer had been both more pertinent, and less introductive of new troubles; for probably, if this answer had not been given, they had not got such a return from my L. Chancellor. Had they ingenuously said, that their commission bare them to baptize, as well as preach; and that they might not be answerable to their Master, to refuse to baptize any children within the covenant, brought unto them for that end, much trouble and temptation had been, in all appearance, prevented. And though I will not condemn all legal defences; yet I must say, that Christian prudence might soon have taught them to have waved this defence, not only because it was obvious enough what would follow; but mainly because it contained a tacit acknowledgement, that they would not have done what they did, if the act had been intimated to them; and that in time coming they would willingly obey the same; and consequently, that the injunctions were just and righteous, and such as neither they, nor any other should disobey, whether

whether because of the matter, or because of the power enjoining them : But more of this purpose afterwards.

He gives us next an account of what they did in the interval, and how they did meet almost every day, to consult what they should do, at their next appearance, in case these acts (called, saith he, rules) should be intimate unto them ; And how a paper was produced by some, appointed thereunto, which was only relative to these instructions or rules, with a touch of the reasons of their not observing of the 29th of May, to which (saith he) afterward was prefixed a pretty large introduction, concerning Christ's power, in and over his church ; and asserting the magistrate's just right about ecclesiastic affairs, as amply as any thing Mr Hutcheson spoke ; and denying him no more, when it was finished, than he denied unto him. Concerning this paper, I can say nothing, having never seen it ; only I find it contained (as himself tells us, in the following words) this clause : *That we could not receive from the magistrate any instructions, to regulate us in the exercise of our ministry* : And I find by his own relation, that three or four days they debated upon this clause, which he calleth, *Unqualified* : And that many of the brethren were against it, as an assertion, which being so generally and indistinctly expressed, would not hold water, nor be found agreeable with the word of God, or concessions even of our orthodox anti-erastian divines, concerning the magistrate's just right.

As to this assertion, which, as he saith, was not satisfying to some ; though I do not know, what particularly was objected against it by some ; yet I may take liberty to say, that it appeareth not to me contrary either to the word of God, or to the concessions of orthodox anti-erastian divines, if it be understood, either as relative to the case then in hand (as it behoved to be, if pertinently adduced,) or according to the true and native import of the words, wherein it is expressed : and that because,

1. Nothing occurreth to me, in scripture, whence it can with any shew of probability be inferred, that this assertion is not consonant to scripture, except what is recorded of David's giving instructions to the Levites, porters and singers, and marshalling them in their several orders and work. But sure I am, all anti-erastian divines look upon that practice, as no precedent to Christian magistrates now, as is well known : And their ground is clear and irrefragable ; for David did what was done herein, not as king, by any proper magistratical power, as is clear from what he said himself, when he

was delivering all these orders and instructions, mentioned 1 Chron. xxiii, xxiv, xxv, and xxvi. over unto Solomon, chap. xxviii. 9, 10, 11, 12, 13. he tells him, *ver. 19 That the Lord made him understand all this, in writing by his hand upon him*: And accordingly we find Solomon doing nothing in this matter by his own proper magistratical power, 2 Chron. viii. 14 *but according to the order of David his father*. And moreover, when King Hezekiah is about this work, reforming what was amiss, he doth nothing of this kind, *jure regio*, by his magistratical power; *but according to the commandment of David, and of Gad the king's seer; and Nathan the prophet*, 2 Chron. xxix. 25. and it is added; *for it was the commandment of the Lord, by his prophets*. In like manner King Josiah, when he is ordering church affairs, and reforming abuses, assumed nothing to himself of this nature, as king, but appointed all to be *according to the writing of David, king of Israel, and according to the writing of Solomon his son*, 2 Chron. xxxv 4.

2. Nor can I call to mind what that concession is of our anti-erastian divines, that can seem to controul this. (1.) It cannot be that concession, That magistrates may and should put ministers to their duty, in following the rules and injunctions, prescribed by Christ, *viz.* in their political way, and by their political penalties: For hence it will no way follow, that ministers receive instructions from magistrates, to regulate them in the exercise of their ministry; more than it can be said, that magistrates receive their instructions, for regulating them in the exercise of their civil function, from ministers; because ministers, in their ministerial way, put magistrates to their duty, in following the rules prescribed by God in his word. (2.) Nor can it be that concession, That magistrates may, by their political and civil sanction, confirm and enforce civilly canons and rules, ministerially cleared and concluded by church judicatories: For that is but to press the rules of God's word to be observed, and is no prescribing of injunctions; but an enjoining civilly the observation of injunctions, imposed and proposed ministerially by church judicatories. (3.) Nor can it be that concession, That the magistrate is *custas utriusque tabula*, for the reasons already given; the minister also may be said, to be *custos utriusque tabula*, in his way and manner; and yet none will hence infer, that he may give instructions unto magistrates, to regulate them in the exercise of their office. (4.) Nor can it be that concession, That the magistrate is

an overseer of things without; for these external things are properly and formally political things, belonging to the civil government of the outward man; among which the function of the ministry, as such, cannot be reckoned; this being purely ecclesiastic, and properly belonging to the spiritual kingdom of Christ. (5.) Nor can it be that concession, That the magistrate may limit and confine the person of a minister, whereby, *per accidens*, there is a confinement laid upon the further extension of the exercise of his ministry: for every body seeth, that this is properly a confinement of the person; and but consequently of the exercise of the ministry; and no man will say, that is orthodox, that the magistrate hath the same power over the office of the ministry, that he hath over the person of the minister.

3. Some such thing may, I grant, be gathered, with some probability, from that assertion of Vedelius, *viz. That magistrates have an inspection of the office of ministers*, as he urgeth it. But he is no anti-erastian, but an Erastian divine: And I suppose no such thing will follow from this assertion, or the like, as qualified or explained by our orthodox divines, who have written against Vedelius, such as Apollonius, Triglandius and Revius: Beside what Walæus and Voetius have spoken hereunto.

4. I conceive that assertion was very orthodox and safe; for these reasons, (1.) This power of giving instructions, for regulating the exercise of the ministry, would infer or presuppose, that the office of the ministry and its exercise, are subordinate to the magistrate *in linea recta*: For instructions; and orders or rules coming from a superior (for from such they must come, and not from an inferior, nor yet from a co-ordinate power) to an inferior, say, that the superior hath power to grant a commission to that inferior, be it court or person, to act in that function and sphere; and a power to limit, restrict, enlarge or qualify the exercise of that function, as he seeth good: But none of our orthodox anti-erastian divines grant a subordination, but assert a collaterality. (2.) No orthodox anti-erastian divine will say, that ministers, as such, are so subordinate unto the supreme magistrate, as other inferior magistrates are. But if the supreme magistrate might give instructions to ministers, and prescribe rules to regulate them in the exercise of their ministry; what difference shall there be, as to this, betwixt ministers, as such, and inferior magistrates? Can the supreme magistrate do more, as to the regulating of the magistratical function, in inferior magistrates,

magistrates, than limit them, restrict them, qualify them by such and such instructions? and what less shall now hereby be granted to him, in reference to ministers, as such?

5. But now if we speak of injunctions and instructions, in particular, the matter will be yet more clear, that that assertion was truth, and nothing but truth: For either the instructions are concerning such things as are at all times necessary to the right exercise of the ministry; or concerning alterable circumstances, which only *hic & nunc* can be called necessary: If the former be said, it must be granted, that these are set down to us in the word; for all necessities are there contained; and if so, the magistrate either enjoineth these ministerially, as holding forth the mind of God; but this cannot be said, for then were he no magistrate, in that, but a church officer and a minister: or magistratically and autocratorically, as a civil magistrate. And then this must either be, in *ecclesia reformata & bene instituta*, that is, in a well reformed and instituted church; or in *ecclesia reformanda & confusa*; that is, in a church wholly confused and needing reformation: In the former case, orthodox anti-erastian divines will say, there ought to be an antecedent judgment of the church, or of ministers, who are the only authoritative and authorized ministerial interpreters of the word: And then the magistrate doth not give the instructions, but by his civil sanction politically enforceth the observation of God's instructions, authoritatively and ministerially held forth by the authorized ministerial interpreters. The latter case is not our case, unless by this concession we would grant power and liberty to any magistrate, to overturn the best reformed church that is, to the end he may order all things in it, as he pleaseth; which was never understood by the users of this distinction. If the instructions respect only the alterable *peristatica*: Either Christ hath given power to his church, in these cases, to judge, according to the general rules of the word, or not. No reformed orthodox anti-erastian divine will say *not*, and if the former be said (as it must be said) then *quo jure*? By what law can the church be robbed of this power? and by what right can the judgment of this matter be committed, in *prima instantia*, at the very first, unto the magistrate; or rather wholly and solely, unto him? For thus the ministers are altogether excluded when it is said, that the magistrate can give instructions in these matters: For the granting of this power unto the magistrate, will necessarily bring the examination and judgment

of ministers, as to the acts of the exercise of their function, unto the civil court, either wholly, or in the first place at least, contrary to the orthodox anti-erastian doctrine.

I think then, that all, who minded honest and plain dealing, in this day of trial, and of witnessing to the truth; and to that truth, that so nearly concerned Christ, as King and Head of the church, should have consented unto this assertion, and in plain terms have told the council, *That they were to receive no instructions from the magistrate, to regulate them in the exercise of their ministry.* He tells us next, that *some supposed this question was determined, in the concessions, that were in the introductory part of the paper, wherein the magistrate's power objectively ecclesiastical is asserted.* But if all those concessions, set down in the introductory part of the paper, issued in the clearing of the magistrate's power to be objectively ecclesiastical, they expressed nothing to weaken the fore-mentioned clause: For, who will say, that because the magistrate's power is objectively ecclesiastical, therefore he can give instructions to regulate ministers in the exercise of their ministry? It were as good a consequence to say, The magistrate is keeper of both the tables of the law. *Ergo*, he may set down instructions, limitations and rules, shewing when the law of God shall oblige as the law of God, and when not. And to say, because he hath the scriptures for the object of his care, therefore he may set down rules how this or that prophecy, this or that doctrinal book, or history should be understood and interpreted. So to say, because his care reacheth to doctrine, and he must countenance the preaching of truth, and discountenance the preaching of error, *ergo* he may appoint ministers what to preach, and what not; and command them to preach of the seven deadly sins, and not of predestination, as the king said in his letter to the archbishop of York. And because his power objectively reacheth to the worship of God; therefore he may do as Jeroboam did. So because discipline and government are also the object of his care, therefore he may give rules and instructions, how the church shall be governed; that is to say, whether by a pope, or by prelates, or by the people, or by himself and his under-magistrates. Yea, and from this power objectively ecclesiastical, it may as well be inferred, that he may regulate controversies and other debates, handled in church assemblies, and prescribe what arguments *pro* and what arguments *contra* shall be used, what sins shall be so and so censured, &c. Yea, in a word, we may as well infer from

from this objectively ecclesiastical power, all that is summarily contained in the explicatory act of supremacy; as that he may give instructions, to regulate ministers in the exercise of their ministry.

How did this debate issue? He saith, in end, some made a motion, which, with common consent, so far as could be discerned, was embraced: And what was this? That the assertion should be thus qualified, *That we would not receive from the magistrate instructions, formally and intrinsically ecclesiastical, to regulate us, &c.* Which, in my judgment, was either nothing to the purpose; or (which is worse) was a betraying of the cause: For either this was understood, in reference to these rules, which the council prescribed in their act, Sept. 3. 1672, or not. If *not*, what was it to the purpose then in hand? If it was understood with this reference, then either hereby they meant to justify and defend their refusing to accept of these instructions, or to justify their accepting of them, but not of others. If the *former* be said, then, (1.) Why was Mr Blair so much condemned, who did but refuse the accepting of these, that had been expressed in the act, and were then exhibited? (2.) Why was it not plainly affirmed, that they would not receive these that the council tendered unto them? (3.) Why was there so much debate in private, about a general *thesis*, when the clear assertion of the *hypothesis*, would have saved both credit and conscience? If the assertion was thus qualified, to justify their accepting of these rules, then sure, the cause was betrayed: And if they were clear to accept of these rules, what necessity was there for this general blind? If they intended it for a testimony, was that a fit season for a testimony, when they were resolved to yield to all, that was at that time desired, without hick or scruple? Further, I suppose it will be found, that some of these instructions were indeed formally and intrinsically ecclesiastical. And if these were excepted, they should have been particularly mentioned, that all might have been clear; for in testimonies we cannot be plain and clear enough. If they were not clear to embrace these instructions; why did they not unanimously agree to tell this in plain terms? And if reasons of their refusal had been demanded, ingenuity and plain dealing had furnished them with reasons sufficient, taken both from the matter of the rules, the manner of enjoining them, and from the sad consequences of obeying them, beside several other circumstances, not to be despised.

When all agreed unto the assertion thus qualified, and so

to the whole paper that was drawn up, he tells us, there fell out another question, whether that paper should be made use of as a directory, when they should be called to speak before the council, or if it should be subscribed by all, and so given in as their answer, and sense of these matters? This was, no doubt, a weighty debate, and such as might have occasioned their breach among themselves: But when the Lord is away, what light or counsel can remain? Well, what came of this question? The generality (he saith) were indeed for the subscribing of it. Which I confess I would not have been for; nor yet for using of it as a directory; for reasons already given. But now the generality being for the subscribing of it, what became of it? Was it subscribed indeed? No, saith he; and thus the minor part prevailed. But he saith, there were reasons moving hereunto; and I shall be glad to hear these. The first is, *One, who was then withdrawn about some necessary affairs had declared before, upon reasons ponderous to him, that he was not free in his mind to subscribe any such paper, at that time.* It seemeth strange to me, that the unclearness of one should have proven such an effectual mean to stop the rest, in that whereabout they had no scruple; especially when that one did not shew what his ponderous reasons were. I humbly judge, the zeal of God would have determined them another way. But there was good cause for this; *For, saith he, they judged it not safe, but prejudicial to the cause, and to unity to break bulk, and act in a divided way, when all were ready to concur in the matter, though they differed in the form and manner: And how inconvenient was it, saith he, that differences about the manner should be seen in public, when they were one upon the matter?* But what prejudice had come to the cause, if a testimony had been given in to the council, unto which all had assented, though it had wanted the subscription of one, who was necessarily absent, when it was subscribed? Yea, though it had wanted the subscription of one, who was unwilling to subscribe? In so doing they did not break bulk; but that one, if ever he had been within the hold, had made the breach by abandoning his brethren. Unity and harmony is good, I grant, but I know not, why every man should have a negative voice, in all such matters; and why nothing should be done by a company or society, if but one man dissent? I know no divine rule for this; nor will Christian prudence teach it: and I am sure, it is one to a hundred, if ever any thing be done of moment, or hazard, by a company, on these terms. And I
much

much doubt, if, when one only person, yea, or two are refractory, all the rest of that society should think themselves exonerated in conscience to forbear a duty, clearly called for. The form and manner here was (I judge) a material thing; and who were not clear, as to it, could not be very clear as to the matter.

There was another reason of this forbearance. *Had they (saith he 2) been free to subscribe papers, at that time, yet they could not look on that paper, as it was hastily and crudely patched up, as becoming so many ministers of the gospel, to give in to the state as their mature and formed thoughts.* In these I grant, it is good, that no man should subscribe a paper, with which he is not satisfied; and I think, it is exception relevant enough against the subscribing of a paper, called or looking like a testimony, when it is not plain nor full enough, even though what is said be otherwise not reproachable. But as to this paper, I think this reason of his very strange, when he told us before, that the generality was for subscribing of it, as it was rude, hasty and raw. Whence came this change? Second thoughts, it seemeth, have taken place. But in soberness, I cannot but think strange, that so many able ministers of the gospel could not, after so many days debate, give their formed and mature thoughts of a business, in which every minister of the gospel, and servant of Christ was obliged to be ready always to give, upon less than a few hours warning, yea, at the first demand, an account of his faith; especially in this controversy, wherein all were called to be most clear; and they especially, who could not but know, that their silence, as to bearing testimony to the truth, at their first receiving the Indulgence, had given such offence: for my part, though I cannot judge of the paper, having never seen it, and though I see not, how all he saith of it can prove it raw and indigested, considering the account he gave of it before: Yet because of that one clause, he tells me was in it, and universally assented unto, I am as glad it was not subscribed and given in, as he was; and upon that account do judge, it was unfit *to be a standing thing* (as he speaketh) *for friends and foes, at home and abroad, to descant upon.* Only I wonder how this consideration could prevail with them, rather to commit the expressing of the matter unto their chosen mouth; seeing words spoken are more liable to misconstructions, and misrepresentations, and other mistakes, than words set down in write; and it was one to an hundred if that one brother, their mouth, should so happily, in a set discourse,

discourse, hit upon the very expressions, that were only accommodated to declare all their minds; or if that brother could have expressed the matter in more lively, masculine, digested and significant expressions, why might he not have been at so much pains, as to have set these down in write, and then the paper, being no more raw and indigested, might have been subscribed and given in? But the plain truth is, *litera scripta manet*: And it was to be feared, that a written paper would have provoked the council more than a transient and volant expression, in a running discourse, buried under an heap of words, and so not fully understood, could have done. *Finally*, I would tell him, that an honest, well-meaning, and plain testimony, though not set off with the paint of words and expressions, having all their amiable cadencies and flowers of rhetoric, would go far with honest well-meaning friends, both at home and abroad, and have been very acceptable; yea, and more convincing unto enemies, whether at home or abroad, whose angry descanting upon it would have been a further confirmation of its honesty and validity.

There is yet a third reason given, which is something long. "There being (saith he) such a clashing among ministers and people, some being for an utter refusal of any benefit of the late liberty; and others being free to make use of it, having given a testimony in their station; and that paper relating only to these instructions, and not to the whole cause, they could not but foresee, that the giving in of that paper would have been looked upon as a testimony; and therefore being so defective, relating only to these instructions, and not speaking to other cases, it would raise greater debates, and heighten differences; and this they were confirmed in, when a brother, coming in among them, told them expressly, their testimony (as it was called) was defective, and would do more hurt than good, except it were fuller: yea, certified we were upon good grounds, that if that paper had been given in, more tongues and pens would have been awaked, and set on work against it, than now are against the forbearing of it. In which case, albeit I could heartily have wished a full, free, general, unanimous testimony were given in; yet I cannot see, how their prudence can be blamed for forbearing that, which would certainly have ministered fuel to the fire, which is like (if mercy prevent it not) to consume this poor church, and may perhaps burn their fingers, who are so eager to kindle and blow at it." Not to insist here on enquiring who were those, who were free to make use of that, (which he calleth

callest liberty) having given a testimony? and what was that testimony, and when and in what station, was it given by such, as were free to make use of it? Nor on showing how improbable it was, that such as could not agree on a paper, relating only to these instructions, could agree to a more full paper: I would only say, (1.) Matters being so, as he here saith, could they not also foresee, that the words, uttered by their mouth, following this directory, would be also looked upon as a testimony; and that that testimony, relating only to the instructions, would have been judged defective; and so occasion new differences? (2.) If the paper was defective (as very like it was) why was it not helped? Why was the matter made worse, by giving in no paper at all, but committing the matter to the uncertain expressions of one of their number? Could this more prevent the trouble of tongues and pens both? (3.) If he commend their prudence for not ministering fuel to the fire, he cannot approve them, for casting in oil; for certainly the course which they took, did contribute more to the burning fire, than that course could have done, which they did forbear. (4.) Wo to them, that first kindled that fire, which is like to consume that poor church; and to them also who administer fuel thereunto; but let some labour, as they will, to free themselves of this, it shall, I fear, lie at their doors.

But now, when all thoughts of subscribing that paper were laid aside, what course was taken? *It was resolved* (saith he) *that one should be mouth to the rest, to speak their sense of these impositions, in case they were to be intimate to them: And that this one was Mr. H. and that he was to hold him to the matter agreed on in the paper.* Though I could rather have been satisfied, that a full and faithful paper, subscribed by all, had been given in, than that this course had been taken; yet, to wave reports of some circumstances, that then went abroad, I think it was requisite, that they had particularly condescended upon the fit season, when their mouth have uttered their mind; and I cannot be of this author's mind, who thinketh that he was not bound to speak in that affair, until he was called upon by the council; which might have been, for any thing I know, after all and every one of them had been put to speak their own mind, in particular, or say nothing, which the council could not but take for a compliance. Yet he giveth this reason, *That the time not being determined by his brethren, he was to be ruled by prudence, which dictated his own being called upon (whensoever it might be) to be God's opportunity,*

tunity, season and call to speak what he had to say : The thing also itself, and the usual practice in like cases saith it was the most fit time to speak to the cause, when all had been gone thro', and then when he had spoken his light in the matter, the brethren (as he willed them to do, when they named him) might add, diminish, or alter as they thought fit. This is a wonderful thing, that one should be appointed to speak the sense of the rest of certain impositions, or injunctions, in case they were intimate ; and yet that prudence should not teach him to speak, when the intimation was first made : Was not his speech to be in reference to these impositions ? Was not his speech to be (at least) a virtual protestation, apology or insinuation of reasons, why they could not in conscience accept of these impositions ? or an explication and declaration of the sense in which they were clear to accept of them ? And if so, doth not nature and common sense teach, that the only season for this had been, when the first offer of these injunctions was made ; and that it was a manifest losing of the opportunity, to delay, till after the instructions had been tendered, and accepted by several of the brethren ? did not the accepting of the paper, containing these instructions, virtually (at least) if not formally say, that they submitted thereunto, and were satisfied therewith ? And then, what could their giving of a sense afterward import ? Neither the thing itself (as every one knoweth) nor any (let be the usual) practice, in such like causes, saith, that it was the fittest time to speak, when all had been gone through. Had he been only to speak his own judgment in the matter, he might have forborne, until the offer had come to his own door ; but being appointed mouth to the rest, and to speak the sense of all the rest, when these impositions were offered, his delaying until some, yea, till many, had received the impositions and rules in write, was really a crushing of what testimony was intended by his speaking in their names : And what could the council judge otherwise, than that the mouth, that spoke, was not their public mouth, having been so long silent ; but his own, speaking only when it came to his own turn ? And if what that mouth spoke had been dissatisfying to the council, and contradictory to their sense and meaning, might they not have judged the silence of such as went before, and had received the injunctions, a plain homologating with their meaning and intention ? and that their mouth's speaking had discovered them not to be all of one mind ?

This is concerning what passed among these brethren, in private,

private, before they compeared, according to the order of the council. We would know, what was their deportment when they compeared: And our informer tells us, that when they compeared, the sentence of the council for not preaching May 29. was read unto them. After which we are told, that Mr. H. addressling his speech to my L. Chancellor, did declare, *That his brethren and he did very chearfully submit to any outward prejudice they might sustain, in following their light, yet humbly desiring that the true state in their case might be remembered by their lordships: And that they were brought under that sentence, not upon account of any disloyalty to authority, but upon a scruple of conscience, concerning that particular way of expressing it.* Of which I shall not now speak (having spoken to this matter before) and it doth not concern our present business: only it is obvious, that more, yea, much more, might and should have been said.

It is more to our present purpose, to notice what was further said. *Withal* (saith he) not knowing whether these instructions were to be presented, but rather to obviate them, Mr. H. added another desire, *That their lordships would be pleased not to burden them with impositions, in the matter of their ministry, wherein they were the servants of Christ, and they being men, who demeaned themselves as became loyal subjects.* Here is my former remark confirmed; for prudence taught, we see, this their mouth, to speak something to the matter, even though as yet the impositions were not presented, and offered to them. Moreover, this desire doth import, either that he and the rest were unclear to submit unto impositions, in the matter of their ministry, because of their being the servants of Christ; or that, though they looked on these impositions as burdens, and so wished to be free of the yoke; yet being imposed they would submit unto them, as to an outward prejudice, which they behoved to sustain; as he spoke before in reference to the sentence read against them. If this latter was his meaning, it is past doubt, that the cause was betrayed, and his mouth stopped from giving that declaration or testimony, in all their names, which he was ordered by them to give. If the former was his meaning, as I am apt to think; why were the brethren so offended with what Mr. Blair said hereafter? (as we shall hear they were) was it because Mr. Blair's words were too plain and distinct? Sure, Christianity will tell us, that testimonies cannot be plain enough.

Upon this he tells us, *they were (as they thought) dismissed.*

But the L. Chancellor forthwith called them again, as they were turning their faces towards the door, and told them, That seeing some of their number had said, these papers (viz. the papers containing the instructions) were not given them, the clerk was to give every one of them a copy, which accordingly he went about to do. May not every body now think strange, that prudence did not now teach their mouth, to express what he had to utter in their names, when all of them were thus spoken to in common, and particular mention was made of that paper of instructions, which before, when no mention was made thereof, he laboured to obviate and prevent the giving of?

When their faces are now again turned towards the council, the clerk went about to deliver each the paper of instructions, and we are told that they had been delivered to the one half or more of the brethren, even to all cited out of Clydesdale, Renfrew, and some of Kyle, before they came to Mr. Blair. And our informer tells us, he believeth there were few or none of these behind, that resolved to speak any thing till Mr. H. who was not called upon yet, should begin, (as they had agreed upon, Mr. Blair consenting thereto, as well as the rest) if Mr. Blair's speaking had not drawn some of them, who had been spoken to before, and others, as they were called thereto thereafter, to speak somewhat: But all stood still in one body, waiting till it should come to Mr. H. who was to be their common mouth, to speak their mind, and they to homologate, add, or alter, as they should think fit. This is our informer's relation of the business, and I shall not question the truth thereof, but come and see what he saith of Mr. Blair and his discourse, which (as would seem) broke the intended method and order.

As for his reverend brother Mr. Blair's speaking, he saith, *As I hope in charity, his motive was zeal and forwardness; so I wish heartily it had been forborn till its season; for hinc illæ lachrymæ; and the rather I wish he had not first filed the field; because that lax assertion (of which before) of receiving no instructions from the magistrate, &c. (albeit it had been limited and qualified by common consent;) Yet he I know not how repeated it to the Chancellor, in terminis, telling, that he would not receive instructions from them for regulating him, in the exercise of his ministry; and added this reason, That if he did so he should not be Christ's ambassador, but theirs. To which I shall only desire to say, that I am of the mind, that as true zeal and conscience of duty moved Mr. Blair, to say what he*

he said; so the same should have moved all of them, to have said the like, or more. And I cannot but think strange, that this informer thinketh it was not seasonable for Mr. Blair to speak, when the trial came to his own door; and that notwithstanding their common mouth had been so long silent, and neglected his opportunity: Our informer told us lately, that it was seasonable for Mr. H. to speak, when it came to his turn: and was it not as seasonable for Mr. Blair to speak, when it came to his turn? As for his calling Mr. Blair's assertion lax, I shall pass it, having sufficiently shown above, how consonant it was to truth, and how groundless all the exceptions were, that were taken at it, so far as I could conjecture; and I wish he had hinted (at least) some one ground or other, whereupon he judged it lax. And what difference, I pray, was there upon the matter, betwixt Mr. H.'s requesting, that they *might not be burdened with impositions in the matter of their ministry*, and Mr. Blair's saying, that *he would not receive instructions from them, for regulating him in the exercise of his ministry*. Mr. H.'s expressions wanted the limitation, that they had all agreed upon, *viz. formally and intrinsically ecclesiastical*, as well as Mr. Blair's; and no man will say, that the word, *impositions*, do more import instructions formally and intrinsically ecclesiastical, than the word, *instructions*: Nor is there any such difference betwixt these words, *in the exercise of the ministry*, which were Mr. Blair's words; and these words, *in the matter of the ministry*, which were Mr. H.'s words, as to make the one discourse lax, and the other accurate. Nay, I am ready to say, that Mr. Blair's assertion was both more congruous to the truth and to good sense, than the words of the other. And finally, This informer is not well satisfied with the reason which Mr. Blair added; and yet the same was insinuated in Mr. H.'s discourse, in these words, *wherein they were the servants of Christ*; for these words did either contain a reason, why their lordships should not burden them with impositions; or they founded forth nothing but nonsense; as every understanding reader will see.

Yet this reason is made the ground of a great outcry; for he addeth, *Which reason, if it do not as strongly militate against ministers receiving of instructions and rules (for the prescriptions in that paper go by these names) from church judicatories, as well as from the civil, and strike equally at the diatactic power of both, I leave you to judge*: And then to make all strong, the matter is cast into a syllogism, but with this mis-

hap, that it is made up of four terms, contrary to the law of syllogisms. But this is but trivial. It is more to the purpose to say, that this same absurdity will follow upon what Mr. H. spoke, (unless he pleaseth rather to let it pass under the notion of nonsense) and therefore whatever way he shall think to save Mr. H.'s credit, we shall by the same way save Mr. Blair. Though this might satisfy; yet I shall tell him, that it is far worse for him, by his discourse here, to grant unto the civil magistrate a diatactic power, in matters ecclesiastical, in such an unlimited and unqualified manner, as he doth, when he talks of *the diatactic power of both*: for this is a manifest homologating the supremacy, as lately explained by the parliament. But for vindication of Mr. Blair, he would know, that he was speaking only of instructions coming from magistrates, acting by their magistratical and architectonic power, and not of all instructions coming from any whatsoever beside Christ; and his reason was against the receiving of instructions from magistrates, as such, to regulate him in the exercise of his ministry; and did not militate against receiving of instructions from church judicatories. For clearing of this, and for his instruction, I shall tell him, *first*, What instructions ministers or church judicatories give, they give them by a ministerial power, explaining, applying and authoritatively declaring, what are the impositions, rules, and instructions of Christ; so that they are but as heralds and messengers, proclaiming and declaring, with a ministerial authority, the mind of Christ: and therefore the receiving of such is but the receiving of the instructions of Christ, sent and delivered by him, as sole Head and King of his church, and act only as in that relation: But on the other hand, as magistrates, as such, are not ministers of Christ; so neither do they act, in giving out laws and instructions, as Christ's heralds and ministers, ministerially explaining and applying the rules and instructions of Christ; nor do they press these instructions, as Christ's instructions, nor in his name and authority; but as in all other things, so here, they act with an autocratorical and architectonic power: So that, when they give instructions to ministers, to regulate them in the exercise of their ministry, they do it by their magistratical and architectonic power, by which they do all other magistratical acts. Hence is it, that such as receive instructions, to regulate them in the exercise of their ministry, from magistrates, do acknowledge this magisterial and architectonic power in church-matters, to be competent to the magistrate, as such; and themselves

selves to be formal ambassadors and servants of the magistrate : for, who receive instructions from one, acting magisterially and architectonically, in church matters, do own themselves as his servants : which cannot be said of such as receive instructions from church judicatories, which act but ministerially ; and thereby formally declare, that the architectonic and autocratorical power, over church matters, agreeth only to Christ, whose servants they declare themselves to be, in that very act of holding forth these instructions, as the instructions of Christ, and that in his name. This is one main difference. Hence, *secondly*, ministers receiving instructions, for regulating them in the exercise of their ministry, from magistrates, acting like themselves, magisterially and architectonically, do (if not formally, yet at least) virtually deny Christ to be the only Head and Lawgiver of his church, acting and ruling with a supreme power : for this architectonic and supreme power in the church, is competent to Christ only ; and he hath substituted none as his vicar-general, neither prince, prelate, pope, nor other ; as were easy to evince, if needful : And so there is but one architectonic supreme magisterial power in the church ; and if this be attributed to the magistrate, Christ is put from his right : And so such ministers, as by receiving instructions from magistrates, to regulate them in the exercise of their ministry, do attribute this power to the magistrate, must of necessity take and have their commission from magistrates, and become their ambassadors, and not Christ's ; because by this deed, as they spoil Christ of his prerogative and crown, attributing that unto magistrates which is proper to him ; so they acknowledge their dependence on, and subordination to magistrates, and not upon and to Christ. But nothing of this kind can follow upon receiving of instructions from church judicatories, acting as Christ's servants ; and, in the very way and manner of their acting, declaring Christ to be the sole Head and supreme Governor of his church : For, as the church judicatories act but ministerially, so the receiver of instructions from them, can own no other power in them ; because they receive these instructions from them, as authorized of Christ, with power ministerially to declare his mind and will. And this is a second difference, which leadeth me to a *third*, which is this : Christ hath never appointed magistrates, as such, to act under him, after such a manner, in the regulation of his church and mediatory kingdom, as he hath appointed ministers and church judicatories. Now, to receive instructions from an usurper,

usurper, is to acknowledge the power of the usurper, and a dependence upon him, as his servant: And therefore, as a King, will not own that man as his ambassador, who taketh his instructions from an usurper: So nor can that man formally look upon himself as the king's ambassador; but as the ambassador of that usurper. But when one taketh instructions from the council, acting in subordination to the king, and clearing his mind by virtue of his commission, empowering them thereunto, he is truly the king's ambassador, though the council did immediately give him his instruction: So a minister, receiving his instructions immediately from church judicatories, is nevertheless the ambassador of Christ; for the church judicatory acteth in subordination to Christ, and only clearth up his mind, by virtue of his commission, empowering them thereunto. Thus I have manifested the invalidity of this informer's argument, and withal shown that Mr. Blair had good ground to say what he said, and to reject these instructions, upon that very ground, that if he had accepted of them, he should have acknowledged himself not Christ's, but their ambassador; and withal have shown, that the indulged ministers, in receiving these instructions, have declared themselves not to be the servants and ambassadors of Christ, but of the magistrates; and therefore can be owned as no other.

Our informer tells us, in the next place, That there were some speeches, betwixt my L. Chancellor and Mr. Blair, and that Mr Blair did not *deny that the council might confine him*, when the chancellor asked that at him. And *this being one of the rules* our informer supposeth, that hereby *he overturned his own universal negative*. Wherein he is no less mistaken, than he was in his last reasoning; for though it be true, that the council did confine them to these places, (which, among other things, as then circumstantiate, might have moved them to have refused that Indulgence, they being thereby declared no more free subjects, and unworthy of the common privilege of all free subjects; and so actually under the scandal of disloyal and censured persons, which, as it was a reproach to the ministry; so it could not but expose them to contempt, and make their office vile, in the eyes of the world, and their pains fruitless, when their ministry was made contemptible: and if their was some further design in this obvious, it was so much the more worthy of their consideration) yet it is as true, that this confinement was properly and directly of their persons, and cannot, in any propriety of speech, be called a regulating of them in the exercise of the ministry. The
minister's

minister's body and the ministry is not one and the same thing. It is true, by confining of the minister to such a particular place, the exercise of the ministry is consequently confined: But hence it will no more follow, that the magistrate may give injunctions, to regulate ministers in the exercise of their ministry, because, when he condemneth him to death, and accordingly causeth the sentence to be execute, or keepeth him in close and perpetual prison, he doth consequentialy put him from the exercise of his ministry. Yet he cannot but know, that this consequence is nought; and that a physical restraint and a moral restraint or limitation differ much.

When Mr. Blair, upon this honest testimony and declaration, was committed to a macer to be carried to prison, the informer tells us, *That the brethren, being surprized with his speaking unexpectedly, (besides the common agreement) and with the assertion that dropped from him, and affected with the apprehension of the issue, began to be much afflicted in their spirits.* But why were they not also surprized with Mr. H.'s speaking unexpectedly, besides the common agreement? for the common agreement was not, that he should say any thing in reference to the instructions, before the council had made any motion thereabout. And why were they not also surprized with the assertion that dropped from him, seeing, as is shown, it was the same upon the matter, with what Mr. Blair said, unless we think he meant it in a most corrupt sense?

After this he tells us, that upon Blair's commitment to the macer, one minister told my L. Chancellor, that he *believed divers ministers of that company were, upon the matter, of Mr. Blair's judgment, whereof himself was one*: And another declared, *that one of these rules did bring ministers into direct subjection to prelacy, contrary to their principles.* Whereby I see, that the consternation and affliction of spirit, was not so universal, as he did just now hint: and that all were not of a contrary judgment to Mr. Blair, and that the agreement to the fore-mentioned limited clause, was not so unanimous and cordial, as he would have made us believe: But passing these smaller matters, let us hear what followed.

He addeth, *Mr. H. also, though his time was not come to speak, yet stepped in with them, to see what he could do to remove mistakes.* Whereby I see, that even he was at length forced to transgress the rules of prudence, and to anticipate even God's opportunity, season and call (as this informer supposeth,) and to cross the usual practice in all such like cases, that is, to speak before his own turn came. I suppose, if
Mr.

Mr. H. had spoken what he was obliged to speak, in God's true season and opportunity, that is, when the first motion was made of delivering to them these rules, he had prevented much of this mistake, and also Mr. Blair's suffering. What were these mistakes, that Mr. H. stepped now in, before the time, to remove? Were they betwixt his brethren? or betwixt the council and such of his brethren as spoke? And what were these mistakes? Whatever and betwixt whomsoever they were, if he stepped in to remove them, that which he said must be looked upon, as having a tendency to the removing of these mistakes; and therefore we must suppose, that his discourse tended either to rectify Mr. Blair, and such as were of his judgment, or to rectify the council, that had committed him to the macer. If the former, then in his judgment, Mr. Blair and the rest, were not to be owned and approved in what they said, being in a mistake: If the latter, his discourse should have tended to have vindicated Mr. Blair, and to have shown the iniquity of what the council had done: But it may be, it was of a mixed nature, tending partly to approve, and partly to condemn both.

Let us hear what it was he said. Our informer tells us, *He spoke according to the tenor of the paper agreed upon, to this purpose, He humbly desired their lordships not to misunderstand his brother, Mr. Blair; for as for rules intrinsically ecclesiastical (the other term formally was forgotten, through occasion of the present jumble, as our informer supposeth,) for regulating ministers in the exercise of their ministry; he hoped their lordships intended not to make and impose any such upon them, who were the servants of Christ, in these matters. But for the magistrates power objectively ecclesiastical, whereby they might judge of matters of religion, in order to their own act, whether they would approve or discountenance such a way, he knew no reformed divine, that did deny it unto them. And judging that was his brother's (i. e. Mr. Blair's) sense, in what he spoke, did again desire, he might not be mistaken. Now if we look on these words, as they are here set down, we must take them either as an apology for, or as a defence of Mr. Blair, or as explicatory of his assertion; and what way soever we take them, I cannot but observe their usefulness: For when he speaks of rules *intrinsically* (let us add *formally*, though that was then omitted) *ecclesiastical*, &c. he must mean either the rules, which were then offered to Mr. Blair and the rest, or some other: If *some other*, then he could not desire their lordships not to misunderstand Mr. Blair, for Mr.*

Blair

Blair meant and spoke of the rules, which were tendered unto him, and which he neither could in conscience, nor would accept of: Nor could he then be supposed to be speaking any thing in favours of Mr. Blair, whether by way of apology, defence, or explication: If he meant the same rules, that were then tendered, then, (1.) He must grant that these were intrinsically and formally ecclesiastical; and so such, as the magistrate might not make, nor impose upon the servants of Christ, and that because they were the servants of Christ, in these matters: And so consequentially, his words confirm Mr. Blair's argument, which this informer (as we heard lately) judged most absurd. (2.) If he meant the same rules, why was the matter expressed in such general and not obviously intelligible terms? Every one doth not understand what the terms *formally* and *intrinsically* mean, in this business; which is about rules to regulate ministers in the exercise of their ministry. And the mentioning these terms here, would say, that there were other rules *extrinsically* and *materially* ecclesiastical, which the magistrates might impose, and they might receive, to regulate them in the exercise of their ministry: Now I would gladly know, what these are? Will the confinement, or imprisonment of a minister's person, go under that name? Or will rules made, concerning the length of time which a minister is to spend, in the exercise of this or that act of his ministry, or the like, be accounted such? The first is wholly political, and no more ecclesiastical, than any other thing, which immediately concerns a minister's person, as his hat, books and clothes, and the like. The latter, as they partake more of the nature of ecclesiastical rules, being more formally, and more nearly related unto the exercise of the ministry, but yet only in so far as they belong to public actions; so it is a question, if magistrates may either solely, or in *prima instantia*, prescribe such rules unto ministers. However this being, at best, but dubious, and the other so clearly political; and it being (to me at least) very uncertain, what rules these are, which may be called externally and materially ecclesiastical, &c. I could have wished, that some instances hereof had been given, that so not only it might have been known, what rules were not formally and intrinsically ecclesiastical; but also it might have been better understood, what ecclesiastical rules were formally and intrinsically such.

(2.) The other part of the discourse, concerning the magistrate's power objectively ecclesiastical, is as useless for any thing.

thing I can perceive, either for clearing of Mr Blair or of his discourse: for, (1.) There was nothing in Mr Blair's discourse, giving the least hint of his denying that power to the magistrate, which all orthodox anti-erastian divines grant; for the denying to the magistrate a power of giving instructions, for regulating of ministers, in the exercise of their ministry, hath no affinity with this; as all know, who know any thing of these controversies. Nor, (2.) doth this piece of the discourse, in any manner of way clear, in what sense magistrates may give instructions to ministers, to regulate them in the exercise of their ministry, and ministers may receive them; and in what sense not. These two questions are so far distinct, that I cannot imagine to what purpose this discourse was brought in; or what it was that gave the least occasion thereunto.

But as to this main business, I would further enquire, whether the brethren do judge, the matter of giving these instructions, about which the debate did arise, did belong to the first part of the discourse; and so to be intrinsically and formally ecclesiastical; or to the latter part; and so belong to that power of the magistrate, which is objectively ecclesiastical, whereby they judge of the matters of religion, in order to their own act, whether they will approve, or discountenance such a way? This question must be judged necessary, unless that whole discourse be accounted unnecessary and impertinent. If the former be said, then why was any troubled at Mr. Blair's refusing to receive these instructions? Why were not those condemned, who had received them? Why did not such as had received them cast them back again? How came it that all of them did not unanimously agree in this testimony? Or how came it, that their common mouth did not speak what was the common opinion of all? Why was it not more distinctly and in fewer words said, That they could not receive these instructions, as being rules intrinsically ecclesiastical, regulating them, who were the servants of Christ, in these matters. If the latter be said, then was not only Mr. Blair's both practice and discourse condemned; but the whole cause was basely betrayed; because under the pretext of the magistrate's power objectively ecclesiastical, that which is as intrinsically and formally ecclesiastical, as many other, at least, are, was granted to the magistrate. Will the magistrate's power to act as a man, and not as a brute, in his magistratical work, about an ecclesiastical object; that is, his power to judge by the judgment of discretion,

tion, which is common to all the members of the church, yea, to all men, as men; which papists deny unto magistrates, allowing them only to see with the church's eyes, but protestants grant unto them: Will, I say, this power warrant him to give instructions, and set down rules, for regulating the exercise of the ministry? Yea, or will his authoritative judgment, in matters of religion; that is, his sentence of approving or not approving; of tolerating, or not tolerating in his dominions; of countenancing or not countenancing by his civil laws, such a way or profession of religion, warrant him also to set rules to the very exercise of the ministry? By what argument shall this consequence be proved, seeing, (1.) In the one case, he judgeth of religion, only in order to his own act; but when he prescribeth instructions, rules and orders, he judgeth of religion, or of that part of religion, concerning which the instructions are, in order to itself, and the intrinsic manner of its administration. (2.) In the one, his judgment is purely political and civil, in the other case it is really ecclesiastical. (3.) In the one case, his judgment is objectively only to be called or accounted ecclesiastical; but in the other, it is formally and elicitedly ecclesiastical. (4.) In the one case, he acteth as a magistrate, considering the outward good, quiet and advantage of the commonwealth; in the other, he acteth as a church officer or head, considering the intrinsic nature, and spiritual ends of that part of religion. (5.) In the one, he acteth in subordination to God, as supreme Governor of the world; but in the other, he acteth, as in a right line of subordination to Christ, the Supreme Head and Governor of his church, and Institutor of all the administrations and ordinances dispensed in the church, and sole Appointer of the qualifications of the officers, and rules of administration: Or rather, if he act as a magistrate, in this last, he acts by an architectonical power, and so as an usurper, or by a power which is only proper to Christ; or if he be said to act ministerially, then also as an usurper, because never impowered thereunto by Christ, the supreme King and Head of the church.

If we look upon this discourse of Mr. H.'s as a testimony, (and so it may be it was intended) or as a declaration of the judgment of the ministers, concerning the magistrate's *jus*, or right, to impose instructions or rules on ministers, for regulating them in the exercise of their ministry; and concerning ministers their call and warrant to receive or refuse such instructions; I cannot but observe, (1.) That it is very de-

fective and short of a fair and full testimony, against the practice of such, who were known to have invaded the rights of the church; yea, and the prerogatives of Christ, as sole Head and King of his church; and, in prosecution of this design of invading the same more, to have devised this medium of the Indulgence. (2.) That it is not a plain and full testimony against the present act of usurpation, whereby a power was assumed to judge in matters ecclesiastical, intrinsically and formally such; yea, and to perform elicit and formal church acts, either ministerially, as ministers of Christ, clothed with ministerial church power from him, which cannot be instructed, nor doth it compete to a magistrate, acting as such; or rather magisterially, as supreme governors in the church, and appointers of qualifications, rules, and manner of administration of spiritual institutions. (3.) That it was not a full and plain vindication of the doctrine of the church of Scotland, nor an assertion thereof, according to former vows, covenants and solemn engagements. 4. That it was not candid and ingenuous, nor pertinent to the purpose in hand, as it should have been, by holding forth the iniquity of such impositions. (5.) That it was conceived in such general and scholastic terms, that neither they, to whom it was spoken, could well understand what was the drift thereof; nor others conceive what was yielded or denied, in the then present case; yea, did not some of the council say plainly, *they did not understand it?* (6.) That it contained disingenuous insinuations and unfair reflections on honest and worthy Mr. Blair, and a tacit condemning (at least in part) of his plain and honest testimony; as if it had contained something, either as to the matter or expression, unjustifiable; or, at least, liable to exceptions. (7.) That it contained (at least) as worded, a design too obvious of humouring and pleasing the magistrates, while actually stated in, and prosecuting an opposition to Christ's supremacy, and to the right and power granted to the church office-bearers. (8.) That as it speaketh not home to the point; so it is not clear in itself; opposing unto giving and imposing of rules, intrinsically and formally ecclesiastical, a power only objectively ecclesiastical, whereby the magistrate judgeth of the matters of religion, in order to his own act of approving or disapproving of such a way, and nothing else: And so either accounting all things to be rules intrinsically and formally ecclesiastical, which is not a mere judging in order to the magistrate's own act; or, on the other hand, accounting all things, in and about religion,

to belong to that power, which is objectively only ecclesiastical, and so to be no less competent to the magistrate, than is that judgment of discretion, whereby he judgeth, in reference to his own act of countenancing or discountenancing such a way, which are not real prescribing of rules, intrinsically and formally ecclesiastical: and thus either giving the magistrate too little or else too much.

He tells us of another, that spoke before it came to Mr. H.'s turn; and that this person told, *He could not receive ecclesiastical canons from their lordships; but as for civil significations of their pleasure, under the hazard of civil penalties, he could say nothing to that; and that another did homologate this speech.* But under favour, this is *secundum artem volatilizare densa & densare volatilia*; a pretty whiffling good for nothing. Oh a serious solid zealous minister should have been ashamed, to have substituted such *whity whaties*, in the place of a plain testimony, clearly called for in the case. But these two persons not only brake their own order, and might have occasioned some consternation to the rest, as well as Mr. B.'s speaking did, but also spoke indeed nothing to the purpose; and might as well have been silent. For, (1.) by this distinction (little better than a mental reservation) they might have scrupled at nothing, that the magistrate might attempt to prescribe in church matters; no, not at his giving rules intrinsically and formally ecclesiastical; for these might also pass under the notion of civil significations of their pleasure, &c. and thus contradict Mr. H. their common mouth, and the paper also, to which they had unanimously agreed: For, can they say, that the magistrate giveth, or can give a civil signification of his will, only when he judgeth in order to his own act of approving or disapproving such a way; and so exerteth that power of his, which is only objectively ecclesiastical; and not also in many other acts, merely ecclesiastical, even formally and intrinsically? Or can they say, that all the intrinsicalness and formality, in matters ecclesiastical, consisteth in their being done by church officers, acting in a church judicatory; and that there is no act, which in itself can be called intrinsically and formally ecclesiastical; but that the sole ground of that denomination, is their being performed by men in church office; and so the very act of preaching and of administering of sacraments, might be done by the magistrate, as civil significations of his pleasure, being not intrinsically and formally ecclesiastical, but when done by church officers: And thus all the ecclesiasticalness of actions, which are
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intrinsically and formally such, floweth from, and dependeth upon the ecclesiasticalness of the agents. Whence it will follow, that all, which such ecclesiastical persons do, must be intrinsically and formally ecclesiastic; and so their judging civil matters, condemning malefactors, &c. (not to speak of other actions) should be actions formally and intrinsically ecclesiastical, *ergo*, it is competent only to church officers. And on the contrary, this should be a good argument. This man is an ecclesiastic person; therefore the action, which he doth, must be formally and intrinsically ecclesiastic. And, as by this means, there should be no cause, or action, formally and intrinsically ecclesiastical, in itself; so there should be no cause, or action, intrinsically and formally civil in itself, but that only which is done by the civil magistrate: And this consequence were good; this is done by a civil magistrate. *Ergo*, it is formally and intrinsically civil; and this should be a bad consequence, this is an action formally and intrinsically civil; *ergo*, it is to be done by the civil magistrate only.

(2.) This answer of these two brethren must either homologate what Mr. H. said, or be dissonant therefrom: If dissonant, then they did not keep to the paper which they had owned, as Mr. H. did. Then also Mr. H. in his discourse spoke not truth; for I suppose these two will think they spoke right; and then either the paper, that was agreed on, was not right, or Mr. H. spoke not according to it; for I also suppose, that these two will say, they spoke nothing disagreeing with their paper. If their answer did homologate Mr. H.'s discourse, then what necessity was there for it? and why used they other expressions, if they had a mind to speak? And it would seem, that all that Mr. H. said, was this and no more: Mr. B. and we must be excused, if we look not upon the council as a church judicatory, making ecclesiastical canons, but only as a civil court, emitting civil significations of their pleasure, under the hazard of civil penalties.

(3.) This answer seemeth to me a more plain giving up of the cause, than all which Mr. H. said; for it is no other in effect, than this; Let the magistrates enjoin what they please, we need not scruple, upon the account of any encroachment made upon the prerogatives of Christ, or privileges of his church; for this distinction will salve all; let us receive all, not as ecclesiastical canons, but as civil significations of their pleasure, &c. and so there is no danger, though they should use both a dogmatic, critic, and diatactic power, determine controversies of faith, appoint rules of ordination, condemn heretics, debar from

from the sacraments, and admit them thereto by their sentence; judge of church members, or determine who should be admitted, as such, and who not: In a word, do all which church judicatories do; this distinction will make all go down (4.) By parity of reason, if these brethren were before a church judicatory, meddling with all civil affairs, determining civil pleas, giving out civil injunctions, laws and rules, &c. they might and ought as willingly submit, and save all with this distinction, saying, We cannot receive civil laws from you, but as for ecclesiastical significations of your pleasure, under hazard of church censures, we can say nothing to that: And thus they would sweetly comply with all the invasions made upon, and usurpations of the civil power, whereof the pope's conclave, and other popish and prelatical courts, are justly accounted guilty, without scruple.

Now, at length, it came to Mr. H.'s turn, who, as our informer saith, received not these instructions publicly, as having seen them before: Let us hear what he said. He tells us, that *he resumed what he had said formerly, concerning a formal ecclesiastical power, which could not be allowed to the magistrate; and a power objectively ecclesiastical, which was allowed to him: Intimating withal, that the brethren would either observe, or not observe their directions, according as they judged of them, in their consciences, upon their peril.* On what was here resumed, I have given my observations before, and shall only add, that this *formal ecclesiastic power* must point forth a power in itself such, and therefore so called; and not so denominated merely because it is exerted by church-men, as the two brethren fore-mentioned hinted in their answer and distinction; otherwise his distinction should have run thus, betwixt a power *subjectively ecclesiastic*, and *objectively ecclesiastical*. But this would confound all causes and all power; and would bring all civil causes objectively under the power of the church; and all church causes objectively under the power of the magistrate: Yea, and make all things and actions, done by the civil magistrate, though otherwise but objectively ecclesiastical, to be formally civil; and on the other hand, make all actions, done by church-men, though otherwise but objectively civil, to be formally ecclesiastic. As to the latter part of this speech, I judge the same might have been said, had he been before the church judicatory, receiving the same, or the like instructions. And was this all? Was there no more requisite in this case? Is it all one thing, at whose hands ministers receive directions,

rules.

rules, restrictions and injunctions, or the like, to regulate them in the exercise of their ministry, whether at the hands of the pope, of a prelate, of the magistrate, or of a church judicatory, providing they be such as may be observed, or otherwise to take their hazard? I suppose our forefathers would have said something else: And, I trow, civil magistrates, if called before the prelates courts, to receive injunctions or rules, to regulate them in the exercise of their office, would say some other thing, than that they would observe, or not observe these directions, according as they judged of them in their consciences, upon their peril. And if they would have stood to their rights, as is to be supposed, the greater fault it is for ministers, to quit the rights of the church so easily, wherein the glory of their Master doth so much consist. Yea, moreover, this superadded insinuation makes me suspect the fore-mentioned distinction the more: For had that distinction been honestly proposed and intended, this superadded clause had been utterly needless.

Upon this (as we are told by our informer) followed my L. Chancellor's answer, which was this, *That the king gave them these instructions by his council, and if they did not observe them, the council would punish them.* By which we see, that these instructions were given by an autocratic power, by the magistrate, as such; and consequently being in church matters, intrinsically and formally such, by an usurped power. We see next, that the commanding of the observation of these instructions, cometh from the magistrate *in prima instantia*, and so not civil sanctions, and confirmations of injunctions, ministerially proposed by church officers, upon both which grounds, I conceive Mr. H. had a fair occasion to have vindicated both the prerogatives of Christ, the sole Head of the church, and the privileges of the church, bestowed on her by Christ, her King and Lord: Yet we find, that all the reply which he made, was this, *That for the matter of civil punishments, they had never denied the magistrate's right in them: and that he took notice from that answer, that their lordships acted in a civil way, only competent to them, in their dealing with ministers, which they could not decline, hoping their lordships designed not to stretch their power beyond their civil line.* Which reply, in my judgment, was neither pertinent nor sufficient: Not pertinent, because the question was never moved, concerning magistrates executing civil punishments, but concerning their power of imposing injunctions and rules, to regulate ministers in the exercise of their

their ministry, which the L. Chancellor owned and avouched in his answer, little regarding Mr. H.'s distinction, betwixt a *formally ecclesiastical* power, and a power *objectively ecclesiastical*. Not sufficient; because the main business was unhandsofly waved. Nay, moreover, this reply was an yielding of the whole cause, and a granting that magistrates might meddle with any church power, and enjoin what they pleased, providing they punished only civilly such as transgressed. Hence they might ordain a minister, and command him to preach to such a people, that would not call him, and depose another, and discharge him to preach any more, as a minister, or administer sacraments, under a civil penalty. So under a civil penalty they might prescribe the matter of preachings, decide controversies of faith, and appeals in church matters, &c. Yea, in a word, meddle with the most intrinsic and formal church matters. Finally, I do not see what ground my L. Chancellor gave, yea, or occasion to make this reply; for though his lordship said, *the council would punish*, yet he said not, the council would punish civilly only: No, his expression might comprehend ecclesiastical punishments also, conform to the power granted to them by the king's letter.

After a great deal of discourse, spent upon personal reflections and vindications, with which the cause is not much concerned, and therefore the less to be noticed by me, our informer cometh in end to vindicate Mr. H.'s speech, which, as it would appear, had given no small offence, and he tells us, that in it we may perceive, an *assertion of an ecclesiastical power to make rules for regulating ministers, which was not yielded to the magistrate; with a concession of his power objectively ecclesiastical: And a declaration of their receiving papers of them under that notion, did not oblige them to observe these directions; but they were to act therein upon their peril*. We heard indeed of *rules intrinsically* (and afterward) *formally ecclesiastical*, for regulating ministers in the exercise of their ministry, which he hoped their lordships did not intend to make or impose upon them, who were the servants of Christ: But we heard of no assumption, that such were the rules contained in the paper, tendered unto them: nor of a conclusion, that therefore they could not, they might not in conscience accept of them. We heard of a concession also of the magistrate's power *objectively ecclesiastical*: But we could not understand, to what purpose it was adduced, unless for

justifying of the magistrates, in giving those injunctions, and themselves in receiving of them. Nay, I perceive here, our informer asserteth that which I was but suspecting formerly, and durst not positively affirm, *viz.* That they looked upon these instructions, as flowing from the magistrate's power objectively ecclesiastical: For nothing else can be imported in these words, *And a declaration of their receiving papers, under that notion.* Now, what can this notion be, under which they received these papers, but the magistrate's power objectively ecclesiastical? And what may hence be gathered, we shall hear anon. We heard lately, that Mr. H. did intimate, that the brethren would either observe, or not observe their directions, according as they judged of them in their consciences, upon their peril: But that he declared that the receiving of these papers did not oblige them to observe these directions, I did not hear till now. However, since this informer saith, that this was Mr. H.'s declaration, I profess, it seemeth strange to me, that he should have spoken so; for the public and judicial receiving, even at the bar, of such instructions, was a solemn declaration of their present purpose and willingness to obey these injunctions, there being no exception made against any of them in particular; nor no desire expressed of a liberty to be granted, to consider and examine them. And sure, if they had suspected the irrelevancy or unlawfulness of any of them upon the matter, ingenuity and conscience would have said, that so much should have been express'd; and that the paper, (if so be they would not refuse to accept of it) should have been accepted, with that clause of exception; or rather rejected, until they were assured, it contained nothing but what was lawful upon the matter: For to accept a paper, containing instructions, and to say withal, they would obey, or not obey them, as they thought good, on their peril, was neither to act with ingenuity, becoming Christians, nor with zeal, becoming ministers; nor with that respect, due to magistrates from them, both as Christians and as ministers; nor with that care and circumspection requisite for avoiding scandal, and especially at such a time, when the eyes of many were upon them, both of friends and of foes. And if any say, that that declaration was a sufficient protestation, I crave leave to add, that it was a protestation annulled by their deed, *protestatio contraria facto*. How much better then had it been, to have forborn that deed, which had in it, at least, an appearance of

evil;

evil; and to have dealt faithfully with the council, and told, that they could not obey these instructions; and therefore behoved to be excused from receiving of them. But I confess, when that great matter was so lightly passed over, I mean, the power making and imposing these instructions, it is to me little wonder that this was swallowed down also.

Our informer tells us next, that *in all this discourse of Mr. H.'s he cannot see such heterodoxy and novelty, as to give occasion to any to say, That he gave to them all, that the godly divines give unto the most godly and reforming magistrates on earth; or that ministers receiving of these papers, on these terms, should warrant honest people to think that they gave up the right of the church, with their own hand, to the civil magistrate; or that any ministers should highly resent their treachery.* But to answer, Though this informer cannot see such heterodoxy, or novelty, as to give occasion to pass that censure on Mr. H.'s discourse; yet it may be, others shall see ground for that, and for more too. And I shall willingly grant, that what agreeth to magistrates, as such, agreeth to all magistrates, good and bad: Yet it may be maintained, that more may be allowed in such magistrates, as are really minding reformation, the glory of God, the good of the church and all her rights and privileges, than in such as are open enemies thereunto, and are seeking by all means to destroy the church, to rob her of her rights, privileges, and power, and to enrich themselves with the spoils of Christ's crown. And therefore, when ministers have to do with such open and avowed enemies, they are called to more strick watchfulness and care, lest they do or say any thing, which may confirm such in their usurpations, and encourage them to encroach more. And whether this care was used at this time, I leave to all, who are acquainted with what passed about that time, and with what daily is observable, to judge. For my part, if Mr. H. did grant to the magistrate, by virtue of his power objectively ecclesiastical, a right or power to make and impose rules and injunctions, to regulate ministers in the exercise of their ministry, as our informer lately himself hinted, I think, he hath not only given to them all, that the godly divines give to the most godly and reforming kings, but much more; except it be that which was given to extraordinary and immediately inspired magistrates, that were prophets also, and men of God, such as David and Solomon; or in a time of universal defection and deformation, which can

no other way be remedied: neither of which can be applied to our case. And further, I wonder how he thinketh any can judge otherwise, than that interpretatively, at least, the receiving of these papers, on these terms, was a giving up of the right of the church, with their own hands; seeing it is so clear and manifest, by what we have said. And seeing it is so, himself will, I suppose, grant, that every minister is called highly to resent this treachery.

What saith our informer for vindication? *But who so will read, saith he, our anti-erastian writers, will find that they yield to the magistrate, as magistrate, (and consequently to all magistrates, be what they will, good or bad, though upon his peril, as he shall answer to God for it, if he shall determine wrong) a public politic definitive judgment, concerning matters of religion, in reference to his own act about them; or (for they diversify the phrase) a power of judging of his own act, about spiritual or religious things, to be observed, or not to be observed by their subjects.* And to make out this, he citeth some words out of the CXI Propositions, propos. 97. where these words are, *As to each member of the church respectively, so unto the magistrate belongeth the judgment of such things, both to apprehend and judge of them: For although the magistrate be not ordained and preferred of God, that he should be a judge of matters and causes spiritual, of which there is a controversy in the church; yet he is questionless judge of his own civil act about spiritual things; namely of defending them, in his own dominions, and of approving or tolerating the same: And if in this business, he judge and determine, according to the wisdom of the flesh, and not according to the wisdom which is from above, he is to render an account thereof, before the supreme tribunal.* But to what purpose is all this waste of words? Doth he, or any man think, that we deny to the magistrate a judgment of his own civil act; or that we suppose, that Mr. H. and others have betrayed the cause, because they granted to the magistrate a power objectively ecclesiastical, so far as to judge thus of his own civil act of tolerating such a way within his dominions? No, that is not the ground we go upon. But this we say, that if Mr. H. or others, do infer from this power of judging, in reference to his own act competent to the magistrate, that the magistrate may impose rules and injunctions, to regulate ministers in the exercise of their ministry; then they have betrayed the cause; and either they must infer this therefrom, or they speak nothing to the purpose:

pose: And himself lately told us as much as all this. Now, let him, or any man, show me where any anti-erastian divine reasoneth thus, or draweth such an inference, from this power objectively ecclesiastical. Yea, I much question, if Vederlius or Maccovius his colleague, did ever so argue. And sure I am, the author of the CXI Propositions, propos. 45, &c. cleareth up the difference betwixt these two powers, which is taken from the object and matter about which. And prop. 54. he sheweth that those things, wherein the ecclesiastical power is exercised, are preaching of the word, &c. And prop. 55. that though the civil magistrate is occupied about the same things; yet it is but so far as concerneth the outward disposing of divine things, in this or that dominion. Nay, I must say, that I cannot see how this will follow, that magistrates may prescribe such rules unto ministers, to regulate them in the exercise of their ministry, because of a power granted to them, to judge of their own civil act about spiritual things, more than that every church member may do the like; for in that proposition, as the words cited do clear, the author giveth that same power to every member of the church respectively, and how can it be denied to them, or to any rational man? Nay, let me say more, have not ministers, and every private man, this power of judging of his own act about things civil, and in this respect also an objectively civil power? Will it therefore follow, that they can prescribe rules, to regulate magistrates in the exercise of their function? And if a magistrate should come to the prelate's, or pope's bar, and take a paper from him, containing such instructions, and give this only as his apology, that he acknowledged a power objectively civil, competent unto the pope or prelate? because they had power to judge of their own acts about civil things; would not others have cause to judge, that that magistrate had denied the co-ordination of the powers, and had professed his subordination as magistrate to pope or prelate? Now, *verte tabulas*, and see how the parallel runneth in our case, and then judge.

From the foregoing discourse, and particularly from that cited out of the CXI Propositions, our informer, now a disputer, inferreth, *That he hopeth no man in reason can alledge Mr. H.'s receding from the principles of this church, in the matter.* But for my part, though I will not judge of the thoughts or intentions of Mr. H. or any other of his brethren; yet considering the work itself, as this informer hath represented

represented it unto me, in its circumstances, I cannot but say, that in the thing, and as to the *intentio operis*, there was a receding not only from the principles of the church of Scotland, but also from the zeal of our former worthies, who ventured all to transmit the truth, pure from Erastianism and Cæsario-papal invasions and encroachments; and from the strick obligations, lying on us all, to stand to the truth, and to the defence of the power and privileges of the church, against the usurpation and encroachments of the magistrates, seeking always to enhance all church power into their own hands; not out of love to promote the glory of God, and the real good of souls; but out of a desire to have the ministry, and the outward administrations of grace enslaved unto their wills. Is it not certain, out of what ground this Indulgence did grow; and how the act of supremacy (which no conscientious minister or Christian can own or acknowledge,) as it was occasioned and necessitated by the Indulgence; so it became the charter thereof, and gave legal life and being unto all that followed? And was it not as certain, that a design to procure a *requiem* to themselves, in all their usurpations, and intolerable invasions of church power, and overturning of the whole work of God; and withal to make way for the further enslaving of the church, and of all church power to their lusts, did midwife this bastard child into the world? And could it be uncertain to rational observing persons, what was the design of king and council, in giving these instructions, first and last? Yea, was not the whole business so carried on from first to last, as half an eye might have discovered a wicked design therein? And was not the explicatory act of the supremacy a more than sufficient proof of an Erastian spirit, that led and acted them, in some things, beyond what the antichristian spirit could for shame prompt the pope to arrogate to himself? And when from these things, and many others such like, yea, from the whole procedure of king, parliament and council, in their actings, since this last revolution began, it is more than sufficiently clear, what they did and do intend; will any say, it was not their duty, while so providentially called to witness to the truth, to give a more plain, full, ministerial and Christian testimony, to the truth which our predecessors maintained with so much hazard, expence of blood, loss of liberty, tossings, imprisonments, confinements, condemnation to death and banishments, &c. and which we were so solemnly sworn

to stand to? And will any ingenuous Christian say, that, all circumstances being considered, the testimony given was such as became men standing in the fields for the truth of Christ, and engaged in point of conscience and Christian valour, honour and credit, to cover the ground they stood on with their dead bodies, rather than cede to such a manifest encroaching and invading enemy? Will any, who readeth the carriage of our valiant and renowned worthies, in opposing the encroachments of King James, (who yet never did, nor for shame could arrogate to himself such a transcendently superlative supremacy over church matters, as now by act of parliament is declared to be an inherent right of the crown) think, that they would have satisfied themselves with such a general, impertinent, confused, indistinct and defective testimony to such a glorious truth? Will any, who considereth the zeal, that ordinarily acted our faithful progenitors, from the beginning to this late catastrophe, and of our valiant worthies, who valued this truth of Christ's kingship above their lives, think that there was not here a palpable ceding from that spirit and zeal, which moved them to postpone all things, to this chief matter? And can any say, that this way of vindicating truth, wherein so much pusillanimity, dissingenuity, carnal consultations occasioning misconceptions and blindness, appeared, did keep correspondence with our frequently reiterated vows and engagements? Was it pertinent or seasonable, or could it be satisfying to propose, in such an exigent, a mere *cothurnus*; I mean, that general assertion of the magistrate's objectively ecclesiastical power, no less ambiguous till fitly explained, than impertinent to the case then in hand? Nay, let this very informer tell me, if he think not, that more plain, clear and full expressions might have been fallen upon, if plain and home dealing had been intended? This I suppose may serve for an examination of that matter, as this informer hath declared it unto us.

Reasons against the Indulgence.

THOUGH, by what is said, it may be sufficiently seen, how sinful that Indulgence was upon the accepters part (with which we have only here to do) as it was conveyed and circumstantiated; and occasionally we have here and there discovered several particular evils, wrapped up in it, beside its sinful rise and destructive tendency: All that now remaineth

remaineth to be done, is to draw the several evils, comprehended in this complex business, to their own proper heads, that the reader may see at one view, what was formerly scattered up and down the foregoing relation: And, considering what is said, it will not be necessary to insist on particulars; to touch them in a word will be sufficient.

I. *How injurious it is to Christ as Head of the church.*

WE shall begin with this head of argument, and show in how many particulars, injury was done, by the Indulgence, as accepted, unto our Lord Jesus Christ, the only Head and King of his church. And,

1. In that hereby they declared, they did not hold their ministry wholly and solely of Jesus Christ: Sure Christ alone, as Head and King of the church his spiritual kingdom, did institute this office of the ministry, and did empower men unto the exercise thereof, as the scriptures do prove. and ministers depend solely upon him therein, if they renounce not their own place and standing. But we saw above, how the indulged did plainly and positively refuse to say, that *they held their ministry of Jesus Christ alone*: See what is remarked on Mr. H.'s speech, when the first ten were indulged, where *ex professo* the word *alone* was left out; and what is said in answer to the informer, who was dissatisfied with Mr. Blair, whereby an injury of a very high nature was done unto our Lord Jesus, who *alone ascended up on high, and led captivity captive, and gave gifts unto men; even, gave some apostles, and some prophets, and some evangelists, and some pastors and teachers*, Eph. iv. 8, 11. It was God alone, *that set some in the church, first apostles, secondarily prophets, thirdly teachers, after that miracles, &c.* 1 Cor. xii. 28. So that as the office of apostles, prophets, evangelists, &c. were only from Christ; so was the office of pastors or teachers. Hence they are said to be made overseers by the Holy Ghost, Acts xx. 28. Whoever therefore will not confess, that ministers hold their ministry alone of Christ, do derogate hugely from his glory, and rob him of his prerogative; and set these others (whoever they be) of whom they hold their ministry, in part, or in conjunction with Christ, down upon Christ's throne, and make Christ no sole King and Head of his kingdom; and consequently no sole Prophet or Priest and Mediator. And what an affront this is unto our Lord, let any judge.

judge. And if (as we know) the clay-kings of the earth will think themselves sufficiently dethroned, and unpardonably injured, if any subject be made partaker with them of their petty sovereignty, in whole, or in part; let any consider, how Christ shall take this injury done to him by his own professed servants. But some will possibly say, though this was their fault and great escape; yet it was but personal, and accidental, as to the Indulgence; and so cannot affect the same, or make it an encroachment upon Christ, of such an high nature. I answer; This being spoken at that occasion when the king and council were acknowledged thankfully for the granting of the Indulgence, cannot but have a reference unto the Indulgence itself; and supposing (as all reason will allow us to do) that what was said, was spoken with understanding, it must be granted, that they had their eye upon the Indulgence granted; and so their discourse was to this purpose in effect. We declare, that we hold not our ministry of Christ alone, but of Christ and of the magistrate; and therefore do accept of this Indulgence without scruple. Whence also it is manifest, that they looked upon the Indulgence, as a consequent of their holding of the ministry partly of the magistrate. And whether the magistrate did intend the granting of the Indulgence, as a declaration of their accounting ministers to hold their ministry partly of them or not, yet the accepting of the Indulgence thus, was a plain declaration, on the accepters part, that they held their ministry partly of the magistrate, and not solely of Christ; and consequently that they owned not Christ as sole Head of the kirk. Further, this discourse of theirs, so worded purposely and deliberately, saith, that if they had not believed that they held their ministry not of Christ alone, but of others also, they could not have accepted of the Indulgence. If any should yet say, That though this might be said of the Indulgence, according as it was understood by the accepters, yet it will not follow, that the Indulgence itself is chargeable with this. I answer; Yet hereby it is granted, that the accepters are chargeable with high-treason against the King of kings, our Lord Jesus Christ: And as for the Indulgence itself, we may safely construe of it, according to the sense both of the granters and of the receivers: And by what followeth, its nature will be more fully discovered. If it be said, that the most that can be inferred from that expression of the accepters, at that time, is, that as to the ex-

ercise (which is distinct from the office of the ministry itself) they did depend on others than Christ. I answer, No mention was made of the exercise, but of the ministry itself. And even as to this, there was no small injury done to Jesus Christ; and this leads me to a second thing here remarkable.

2. By this Indulgence, the prerogative of Christ, as sole Head of his church, is further encroached upon, in that the indulged do hold their ministry, as to its exercise, not of Christ alone, but of the magistrates, either solely, or in conjunction with Christ. And that this is a wrong to Christ, is manifest, in that it saith, the office, and the power to exercise the office are not from Christ alone. The office can import nothing but a bare name, if it import not power to exercise the office, or do the work peculiar unto such an office: And if Christ be said to give the office, but others must give the power, authority, and *jus* or right, to exercise the office, he shall be made a mere titular King. But he told us some other thing, when he said, Matth. xxviii. 18, 19. *All power is given unto me, in heaven and in earth; go ye therefore and teach all nations, baptizing them, &c.* And when he said, John xx. 21, 23.---*As my Father hath sent me, even so send I you.---whose soever sins ye remit, they are remitted unto them, &c.* See Mark xvi. 15.---*Go ye into all the world and preach the gospel* The office was in order to the exercise: And when he gave the office, he gave the power to exercise the same. When Paul was made a minister, he was sent to open eyes, Acts xxvi. 16, 11. The ministry, sure, is a talent, and whoever gets it must trade with it, or expect a sad sentence. If it be said, that this will take away the power of church judicatories, who ministerially, under Christ, both conveyeth the office and the power to exercise the same. For answer, I deny that any such thing will follow; and to clear this, I shall shew a third injury done to Christ by this Indulgence.

3. If it should be said, that by the accepting of this Indulgence, from the magistrate, they no more prejudge Christ of his right both to give the office and power to exercise the same, than when they take the same as conveyed to them by church officers. I answer, that the difference is great, and the encroachment made on Christ's prerogative by the Indulgence clearly assented to; in that another way of conveyance of the ministry, and of the power to exercise the same, is here closed with, than Christ, the only King, hath appointed. Christ hath instituted church officers for this end, to convey the
office

office and power, which he hath appointed unto particular persons. The Holy Ghost said unto *prophets and teachers, that were at Antioch, separate me Barnabas and Saul, for the work whereunto I have called them*, Acts xiii. 1, 2. Paul and Barnabas ordained elders in every church, Acts xiv. 23. Titus was ordered to ordain elders in every church, Tit. i. 5. Timothy was to commit the things, he had heard of Paul, to faithful men, who shall be able to teach others, 2 Tim. ii. 2. The gift was given with the laying on of the hands of the presbytery, 1 Tim. iv. 14. But here the office, or the exercise thereof, is conveyed by the hands of magistrates, whom Christ never did commit that matter unto. And thus another, yea, a quite opposite, medium is embraced and followed, than what Christ thought good to make choice of, to his great dishonour and disparagement; as if he had not been wise enough to appoint the best means; nor had not authority enough solely to appoint the means and ways, he thought fit.

4. The wrong done to Christ, by the accepting of this Indulgence, will be hence manifest (which will also clear up the difference betwixt what is conveyed from Christ, by his own ministers, and what is conveyed by magistrates.) That the office or exercise of the ministry is received from them, who in this deed do not, neither can act in a ministerial subordination to Christ, as sole Head and Fountain of all church power; so that their intervening betwixt Christ, and those, who receive the office or its exercise, as a medium of conveyance, saith, that Christ is not sole Head of the church, and Fountain of church power. The ground of this is, because magistrates, as such, do not act in a direct line of subordination to Christ, as Mediator, as church officers do: And further, what they do as magistrates, they do not (in reference to their subjects) with a ministerial authority, as church officers do; but with a magisterial, imperial, coactive, autocratorical and architectonic power and authority: And as to the church, this magisterial power belongeth to Christ alone: So that the submitting unto any other magisterial and supreme autocratorical power, in church affairs, than what is solely in Christ, is an acknowledging of another head and supreme governor in the church beside Christ; and this is a plain dethroning of Christ, who will either be sole King, or no King.

5. The accepting of this Indulgence containeth another

wrong done to Christ, in that thereby, there is an acknowledgement made of the insufficiency of all the rules, prescriptions and instructions, granted by him, for the ordering of the exercise of the ministry, and for information unto his ministers, concerning the way how they should go about the exercise of that employment: For in the Indulgence, there were withal first and last instructions given, how to regulate them in the exercise of their ministry: And so when the Indulgence was embraced, as accompanied with these instructions, the power, granting these instructions, was acknowledged and submitted unto; and when these instructions were not held forth ministerially, as when the like are given by church judicatories, but by such, as act in all things which they do, as magistrates, by a magisterial and autocratorical power, not subordinate unto Christ, as Mediator, in a right line of subordination; an autocratorical, magisterial, and supreme power to make rules, and to give instructions to ministers, to regulate them in the exercise of their ministry, is granted to the magistrate, to the robbing and spoiling of Christ of that sole supreme power, which is due to him, and is a part of his prerogative royal.

6. Herein also the accepters of the Indulgence have done injury unto Jesus Christ, in that they have taken a new holding of their ministry, and of the exercise thereof, and so materially have renounced their old holding of Christ immediately, as King of his church, and sole Lord of his house; they have taken a new commission for the exercise of their ministry, and a commission inconsistent with, and not subordinate unto the commission they had formerly from Christ. I shall not need to insist on this here, having declared it so fully above, in vindication of Mr. Blair's assertion, *viz.* That if ministers take instructions from magistrates, for regulating them in the exercise of their ministry, they should not be the ambassadors of Christ.

7. It is a part of the royal prerogative of Christ, to appoint the qualifications of his own officers: But here the magistrate doth, by his magistratical power, appoint and determine the qualifications, which he will own as such, in reference, at least, unto the exercise of the ministry, and this is not done ministerially; and consequently in contradiction to the sole power and prerogative of Christ. The accepters therefore of this Indulgence, granted only to such, as are so and so qualified, do not only acknowledge themselves to be

so and so qualified ; but do sweetly, in so far, acquiesce unto the magistrate's autocratorical determining of these qualifications ; and unto his assuming a supreme nomothetic power in church matters. As for these qualifications, we have seen above, what they are. See our 3^d remark upon the king's letter.

8. It is also a part of Christ's prerogative royal, to prescribe and set down the way, how he will have such and such an officer in particular, set over such or such a flock in particular ; that so the minister, so fixed to his special work, may have ground to say, that this is the flock, over which the Holy Ghost hath made me an overseer. But here in this Indulgence, the matter is so conveyed, as that the indulged cannot with good ground say, the Holy Ghost hath set me over this people, but only, this is the flock over which the king and his council have made me the overseer. But against this it is said, *May not the man, who returneth to his own congregation, from which he was unjustly thrust away, say this ? And may not he also speak thus, who hath the cordial invitation and call of those concerned ? And what shall then be said of them who preach in the fields ?* Answ. 1. If the minister's return to his own place were fair and cleanly, and so as the old method and ground were not questioned, or weakened, then he might indeed so speak ; but it is not so here ; for his returning to where he was before, was a mere accidental thing, and his ground is not his former relation unto that people, but the order of the council, which was of the same nature with the order given unto others, as we saw above, and so he can only now say, though this be the flock over which the Holy Ghost did once make me an overseer ; yet now I am set over it by the council's order. (2.) As for that cordial invitation, which some possibly did obtain, it was no such call as Christ's law alloweth, it was not the rise and fountain of these ministers going to those places ; but a posterior, mere precarious thing, whereby the ordinance of Christ was rather prostituted, than followed : It is sufficiently known, that the council made the free election, and not the parish : And withal, where was the act of presbytery, giving them ministerially a protestative mission ? This belongeth to the method that Christ hath prescribed ; but here the council both called, choosed and sent, and so were both the flocks and the presbytery. (3.) As for the third particular, every one may see how impertinent it is ; for this
preaching

preaching in the fields, or houses, is no fixed stated oversight over a distinct company, as is that of a minister over a particular flock, but a mere occasional act, depending upon a providential call from God, and the cordial entreaty of this persecuted people; which is all that is requisite thereunto.

9. There were among these instructions, given by the council, several restrictions and limitations in and about the administration of Christ's spiritual institutions, as of preaching, of administration of baptism, and of the Lord's supper, as also of discipline: And these restrictions and limitations, not being made by a ministerial power, with a ministerial authority explaining and applying the general rules, given by Christ thereanent, as church officers, and church judicatories do; but by the magistrate who acteth with a magistratical, magisterial, and autocratorical power; that is, by a power, which in spiritual matters of the church, belongeth to Christ only, who is sole Head and King thereof. The receivers therefore of this Indulgence, thus conveyed, and accompanied with such limitations and restrictions in and about the administration of Christ's ordinances, do contribute their concurrence unto this invasion.

But against this and other particulars formerly mentioned, taken from the prescriptions, rules and instructions, wherewith this Indulgence was attended, it is said, *That in the accepting of this Indulgence, there was a simple use making of a favour offered, and no formal engagement unto the prescriptions, which the magistrate did not expect, plainly resting upon the intimation of his own will: For here the magistrate was not treating and expecting our formal consent or security for performance of what was required; but did simply appoint and command, as they would be answerable. So that the embracer of the providential favour giveth no complex consent unto the prescriptions.* I answer, The favour offered was no favour indeed, as circumstantiated; nor could there be a simple use making of that supposed favour, which was so attended with imposed conditions, instructions and limitations, without at least a virtual acknowledgement of a right and power in the magistrate, to make and impose such conditions, &c. for howbeit the council propose the matter by way of command, as thinking it below them to act otherwise; yet both the nature of the thing, and the concomitant acts, made of purpose to restrict, limit and qualify the favour proposed, and to instruct and oblige the receiver, say, that the accepting of the
first,

first, is with an engagement to perform the second, both being but one complex thing. Nay, the council (as we saw above) in their acts and proclamations do expressly hold forth the favour to be granted and accepted condition-ways: and Mr. Blair, for renouncing of the conditions, was deprived of the favour. Who accepteth a favour offered with its burdens, in accepting the one accepteth both, and taketh the favour *cum onore*, and this cannot be otherwise understood, howbeit the council did not wait for their express consent unto the conditions, for their receiving of the favour so offered was sufficient thereunto; as when a father granteth such or such a piece of land to his son, but withal layeth this burden on that favour, that he must pay so much debt: if the son accept of the land so clogged, he cannot but take on the debt, though he gave no express consent thereunto before.

II. *How contrary it is unto presbyterian principles.*

WE shall in the next place show how injurious the accepting of this Indulgence was unto our presbyterian principles, and what wrong was hereby done unto the church, as to her privileges, and that power which Christ hath granted unto her.

* 1. It belongeth to the church, and to church officers, to try and examine the gifts and qualifications of such as are to be exercised in the ministry, and to declare ministerially, by explaining and applying of Christ's rules and laws, who are fit and qualified for the work of the ministry, and who not: But here the magistrate declareth what that is, which he looketh upon as a due qualification, and judgeth who are so qualified, as to be fit for the ministry; and that without the least deference imaginable unto any church judicatory whatsoever. If it be said, that they indulged none but such as were ministers already, and so were supposed to be sufficiently qualified for that work? I answer, the church officers, or the presbytery, are not only to judge of qualifications, in reference to the ministry in general, but also in reference to the ministry, in this or that particular place, where he is to be fixed; and no church judicatory had this judgment, in the matter of the Indulgence, but the council only. And as they indulged them, so they might have indulged others, who had not been placed ministers before, as we see they did Mr. Weir, whom they did not account a minister before.

If it be said, that the qualifications which were here considered, to wit, *peaceable* and *orderly*, belong properly to the judgment of the civil magistrate; who, as he maketh civil laws, so can judge who observeth or transgresseth the same. I answer, Not to mention here the magistrate's true sense of that peaceable and orderly living. I say, though the magistrate be the proper judge of this peaceable and orderly deportment, in order to civil punishment, or exemption therefrom; yet church judicatories are the only competent judges thereof, in reference to the exercise of the ministry: And it was in reference to this exercise of the ministry, that these qualifications were here taken notice of.

2. It belongeth to the church, or church judicatories, to convey ministerially the office and power unto persons qualified, and to grant a protestative mission, whereby they become authorized to exerce the ministerial function; as was seen above. But in the Indulgence, all this was done by the magistrate immediately; the council sent the indulged to such and such places, as they thought fit, and they only clothed them with authority for that effect; or did all, that presbyteries do or ought to do, in the like cases. See what was above upon the acts of Indulgence granted July 27. 1669. p. 159.

3. It is a part of the power and privilege of church officers and church judicatories, to loose ministers relation unto a place, and to plant and transplant, to place ministers in particular charges, and to transport them to others, as the good of the church requireth. And this we know was constantly practised by our presbyteries, synods and general assemblies. But here in the Indulgence, all this was practised by the council, without once consulting any church judicatory whatsoever. They planted and transplanted according to their own pleasure, as we saw above, in several instances, sending severals from one church to another, and many from their own churches unto others. See further our 2^d remark on the king's letter. It will not here be said, I suppose, that by the sentence of banishment, their relation to their former charges was annulled: And though it were said and granted too (which yet cannot be), though it would follow that such were not properly transplanted, yet our argument would remain strong; for there were others, whom the council had indulged to such and such places, and thereafter transported to other places, as they thought fit. And beside, as to all of them, it was the council's deed alone, which did constitute them ministers

ministers of such and such places, and so made up that relation: And if they should think that they are not formally ministers of such places; they could not then say, that they were set as overseers over these places by the Holy Ghost, as possibly they will; and they should also think themselves free of the burden of that charge, and of the souls of the people, as not being committed to their charge; and the people are not obliged to own them as their ministers; and then they are called to consider, with what conscience they can take the stipend and benefice, only allowed by the law of God to such as take on the cure of souls. And beside, whatever they think, yet the council did design and formally intend their fixed relation unto these places, as proper pastors thereof, for the patrons were thereunto to be consulted, and their consent to be obtained, which, according to the established law, is the way of admitting formally such and such persons, to be ministers of such places; the other formality of the bishop's collation being dispensed with, as to its necessity, and only enjoined under a penalty, or they encouraged to seek it, by a further favour, as to their stipend; and however, it was ordered, that intimation should be made to the bishops and archbishops, when any person was indulged within their dioceses.

4. It is a part of the power granted unto church judicatories, to make canons, and prescribe rules, and to give injunctions, concerning the exercise of the ministry, the administration of the ordinances of Christ, and the like; and this is that diastatic power, acknowledged by all the orthodox to belong to the church judicatories; and we might confirm it here, if it were necessary. But in this Indulgence, we see the magistrate assuming to himself this power of making proper church canons, giving rules to regulate ministers in the exercise of their ministry, and imposing such like injunctions, as used to be prescribed by the judicatories of the church in former times. Of these injunctions, we have had oftentimes occasion to speak before, and need not repeat here what hath been said; nor need we insist on that again, which is commonly said, *viz.* That their accepting of the Indulgence hath no necessary connexion with their approving of this power, to make such canons, and to impose such injunctions. For, as we have shown, this cannot be evited, and this one thing will abundantly evince it, *viz.* If they had received this same or the like Indulgence, at the hands of the prelates, (and this

had been likewise more consonant to the established late acts, before the act of supremacy was made) and if the prelates had clogged the same supposed favour with the same or the like injunctions; had not their accepting of the Indulgence, accompanied with these injunctions, been a granting of that power unto the prelates, to make such canons, and to give out such injunctions and restrictions? And if it had been so, as to the prelates, why not here also, as to the council?

5. Upon the same account, we find by this Indulgence, that the council hath assumed power of exercising real church censures, such as suspension from the exercise of their ministry, and total deposition, or turning out, as they call it. See our 1st and 7th remarks on the king's letter. This must be a great invasion on the power of the church; and by the Indulgence, this power, granted by the king to the council, is confirmed both in the king and in the council: And who is not convinced how sad this is, when every one might see what invasions daily were made upon the power of the church by the civil magistrate; and therefore all were clearly called aloud to cry against this, and to stand and withstand, and do nothing that might contribute to fortify them in their usurpations, or to occasion their further encroachment, which might have been forborn without sin. And sure I am, if these brethren had forborn to accept of the Indulgence, as several others did refuse it, the occasion of this and many other invasions had not been given, and church power had not been so formally usurped, as it hath been; nor the magistrates so fixed in the possession thereof, as they are by such cedings.

III. *What affinity it hath with the supremacy.*

OUR third head of argument against this Indulgence, is taken from its relation to, affinity with, dependence upon, and confirmation by that woful act of supremacy, made by our parl. 1669. And sure, all, who are tender of the concerns of Christ's crown, and of the privileges of his church, will have an utter detestation of and abhorrence at any course which floweth from, is continued and confirmed by, and cannot stand without that act, which with one dash doth dethrone our Lord, and spoil him of his royal prerogative, and his church of all her privileges. What occasion or rise the Indulgence gave unto the act of supremacy, and what a foundation

ation it laid for more of that kind, and what a near affinity and likeness is betwixt them, we have shown above, and need only recapitulate things here.

1. Had this Indulgence been utterly refused, we had never yet seen that act of supremacy; for the council having granted the Indulgence upon the king's letter, contrary to many acts of parliament, knew no other way to save themselves, but by framing this act, which both secured them for times bypast, and against all hazard also, in going on in the same course, as they had begun, for the future. The grant of the Indulgence was never lawful, nor the granters secured by law, until this act was made. How shall we then judge well of the Indulgence, that gave the necessary rise unto that prodigious act?

2. The Indulgence itself would be still an illegitimate brood, notwithstanding of all that king and council both did, were it not for the act of supremacy; for by the act of supremacy, that is now made a legal deed, which otherwise was directly against law, what shall we then think of the Indulgence, that must be legitimate by such an act? And what a possession that must be, that hath such an act for its ground-right and charter, let sober men judge.

3. The indulged would, notwithstanding of all that is done by both king and council, be still seditious persons, in the account of the law, and lie under hazard of the same, were it not for this act, which alone secureth them from the lash of all laws, made for that end. This act is their only right and ground of security, whereby they can plead themselves free from all that could be brought against them by foregoing laws. So that among other things, wherein the indulged do now differ from all the non-conforming ministers, this is one, that the indulged are under the protection of the supremacy, and lie in safety under the wings thereof; while as others have it not stretched over their heads, and so do not enjoy that chilling warmth, that is to be had thereunder.

4. This is further confirmed by all the particulars, mentioned under the two foregoing heads; for they all belong to this supremacy, and are parts of the same; and the supremacy is but one comprehensive, complicated and compounded act of usurpation of the crown of Christ, as Head and King of his church, and of the power and privileges belonging to the church, and to the officers of the house of God.

5. We saw before the same asserted by worthy Mr. John

Burnet, in his testimony against the Indulgence, whose argument is worth consideration, and I shall here repeat it: To settle, enact, emit constitutions, acts and orders, concerning matters, meetings and persons ecclesiastical, according to royal pleasure, is the very substance and definition of his majesty's supremacy, as it is explained by his estates of parliament. But the act of his majesty's royal Indulgence is only to settle, enact, and emit such constitutions, acts and orders, concerning matters, meetings, and persons ecclesiastical, according to royal pleasure. Therefore the act of his majesty's Indulgence, is the substance and definition of his majesty's supremacy, &c.

6. Seeing, by what is said, it is apparent, that not only is the usurped supremacy put in exercise, and confirmed in the hands of the usurper, by the Indulgence; but also the formal asserting of the extravagant supremacy, by a plain statute and act of parliament, explaining and confirming the same, is looked upon as necessary to support the Indulgence, and to keep it in legal being: It cannot be well denied, that such, as have accepted the Indulgence, have homologated this supremacy, and contributed, by virtue of that acceptance, all their power to the fixing of this usurpation; for more was not required of them for this end; and if they had refused the Indulgence, this statutory establishment of the supremacy had never been accounted necessary; nor possibly once thought upon.

7. As he who accepteth a benefit from a person, which that person cannot bestow but by an usurped power, and doth formally flow from that usurped power, doth homologate by his acceptance that usurped power; so the accepters of the Indulgence, from the king and council, which they could not give but by the usurped supremacy, and which formally and kindly floweth therefrom, cannot but, in so doing, homologate that usurped supremacy.

8. If this Indulgence had been granted by the prelate of the diocese, would not the acceptance thereof have homologated prelates usurpation, and been an acknowledgment thereof? Why then shall not the accepting of this Indulgence, when granted by the king and his council, be a homologating of their usurpation? Especially seeing the usurped power of the prelate is but a branch of the supremacy, and floweth therefrom, prelates, as such, having no church power with us, but what is granted by the king by virtue of the
supremacy,

supremacy, by the statute law of the land. Wherefore if the accepting of the Indulgence at the hands of the prelates, would have homologated the usurpation, that yet flowed from the supremacy, and consequently the supremacy itself, tho' at a step further off; how is it imaginable, that the accepting of the Indulgence from the king and council immediately, shall not be a homologating of the supremacy, which is the immediate root and ground thereof?

9. Such as accepted of the prelate's collation, whether to new places, or to the same places where they had been, before the restoration of prelacy, will, I suppose, be looked upon as homologating, in that act, the prelates power, and consequently the supremacy, from whence that power floweth to the prelate: And what difference is there, I pray, betwixt the prelate's collation (which possibly was freer of concomitant instructions, rules and directions, how to regulate them in the exercise of the ministry, than was the Indulgence) and the council's collation, as to the fountain, the king's supremacy, from whence both do flow? By virtue of power descending from the head to the left arm, the prelates, is the episcopal collation granted, and by virtue of power descending from the same head to the right arm the council, is the council's collation granted.

10. Who homologate a supreme authority in the king over all persons, and all causes ecclesiastic, by virtue whereof he may settle, enact and emit such constitutions, acts and orders, concerning the persons employed in the external-government of the church, and concerning meetings and matters ecclesiastic, as he in his royal wisdom shall think fit, they homologate the supremacy: This is certain; for this is the supremacy, as appeareth by the act explicatory: But so it is, that the accepters of the Indulgence do homologate this supreme authority in the king. Which I thus prove. Such ecclesiastic persons, as are willingly disposed of by the supreme authority in the king over all persons, and causes ecclesiastic, and go to what places, he by his council appointeth, for the exercise of their ministry and of church government, and withal receive orders, acts and constitutions concerning ecclesiastic persons, to regulate them in the exercise of their ministry and government, made by him in church affairs, according to his royal wisdom, by virtue of his supreme authority; these do homologate the supremacy. But so it is that the accepters of the Indulgence have done this. Therefore,

fore, &c. the minor is uncontrovertible and certain, from the council's disposing of them, and ordering of them to such kirks, as they pleased, and their yielding thereunto, and accepting of instructions, orders, acts and constitutions, made by virtue of the supremacy, to regulate them in the exercise of their ministry: all which hath been cleared above. The major is manifest from this, that to be willingly disposed of by a power, is to homologate it; and to receive instructions, orders, acts and constitutions from a power, is to homologate it; by homologating a power, I understand an acknowledgment of such a power in such a person, by a suitable and answerable compliance therewith, and yielding to it, or acting under it: And this may be materially, as well as formally done, implicitly as well as explicitly, by the intention of the deed, as well as by the intention of the doer: As he who obeyeth an usurper, and acteth under him, in some place of trust, and receiveth instructions from him, for to regulate him, doth homologate that usurped power, by his very deed, though he should hate the usurper and the usurpation both, and really wish he were thrust from his usurpation altogether, and would possibly concur thereunto himself.

It cannot weaken this argument to say, that the indulged persons never did nor will own the supremacy, but plainly disown it: For though I am ready to believe this to be true, yet the argument holdeth; for I speak not of a positive, explicit, formal, intentional and express homologating; but of a virtual, implicit, material homologating, and such as is included in the deed, and work itself, abstracting from the intention of the worker, which is but extrinsic and accidental, as to this: And that the accepting of the Indulgence is a homologating, and a virtual acknowledging of the supremacy, is clear from what is said, though the indulged should intend no such thing.

IV. *How it is injurious unto the power of the people.*

A Fourth ground of our dissatisfaction with the Indulgence, is the wrong that is hereby done unto the people, as to their power and privilege of free election of their pastor. In the accepting of the Indulgence, there was the accepting of a charge of a particular flock, without the previous due call, free election, and consent of the people: this holdeth, as to such of the indulged as were sent to other churches

churches than their own.) The mere appointment, order and designation of the civil magistrate, was all the ground of this relation, and was the only thing that made them pastors to such a people, together with the consent of the patron. This was a way of entry unto a pastoral charge, that our principles cannot assent with, wanting either precept or precedent in the pure primitive times. Our divines have abundantly shewn the necessity of the previous call of the people, unto a minister's admission to a charge. See *Mr. Gillespie in his Miscel. Questions*, quest. 2. Nor need I hold forth the iniquity of entering by patrons, whereof our parl. 1649, was fully sensible, when the church was restored to her privilege, conform to our first Book of Discipline, chap. iv. *Concerning ministers, and their lawful election*: and the second Book, chap. xii. It will be here said possibly, that they obtained the full and unanimous consent of the people. But I answer, (1.) I doubt if this was either universally sought or obtained. (2.) Where it was had, it was but a mere blind, and, to me, a mere prostituting of that appointment and order of Christ, rather than any conscientious observation thereof. For (3.) this call of the people ought to be a free election and choice, but here was no free election left unto them; but whether they did consent or not, the person designed by the council was to be set over them. (4.) The free election of the people should go before the person's designation to that charge, and become the foundation of his relation to that flock; but here it was posterior unto the council's designation, and was a mere precarious thing, coming in *ex post facto*. (5.) This call and election of the people was not in the least presupposed, as any way requisite, either in the king's letter, or council's nomination and election. (6.) Nor did they make any mention hereof, when before the council; nor make any exception against the council's order or collation, until this was had. (7.) Nor did they testify their dissatisfaction with, or protest against, the unlawful usurped interest of the patron, and his necessarily pre-requisite consent. (8.) Did such as wanted this unanimous call or consent of the people, give back the council's warrant, as weak and insufficient?

2. I would ask, whether they look upon themselves as the fixed pastors of those particular flocks and churches, or not? If they own themselves for fixed pastors, what is become of their relation to their former charges? They cannot be pas-
tors

tors of both places, for we own no pluralities; nor can it be said, that the council's mere act did loose their former relation, and make it null. And whether they protested at their entry to this new charge, that it was without prejudice to their former relation, when the Lord should open a free passage in his own good providence to return, I know not. If they look not on themselves as fixed pastors, then are they mere curates, sent of the council to those places, to preach and perform the other acts of the ministry, till further order, or during their pleasure: And then they cannot be offended, if the people look not on them, as their pastors, nor carry towards them as such.

V. How Erastianism is hereby established.

ANother ground of our dissatisfaction with the Indulgence, and with the accepting thereof, is, that thereby Erastianism, the professed enemy unto and perfect destruction of all true church power and church jurisdiction, is established and fortified.

1. This is manifest from all the particulars, mentioned above, under the first, second and third heads, which need not here be repeated; for these are parts of Erastian doctrine, which the orthodox disown, and our church hath resisted and opposed from the beginning: and beside,

2. Hereby are the magistrates confirmed in that usurpation of being proper judges of ministers doctrine, even in the first instance; that is, before any church judicatory take cognition thereof, and pass a judgment thereupon. See our 8th remark upon the king's letter.

3. Hereby they are confirmed in this usurpation, that ministers may not preach in public, or in private, without authority and licence had from the civil magistrate. See our 12th and last remark upon the king's letter.

4. How this was confirmed and yielded to by the indulged, we saw above, in our examination of Mr. H.'s speech before the council, *anno* 1669, and of that relation of the carriage and speeches of those, who were before the council, *anno* 1673.

5. We were not ignorant, how, from the very beginning of this catastrophe, and in the very first session of parliament, *anno* 1661, an exorbitant supremacy in church affairs was acknowledged to belong to the king, in that he was declared

to be *supreme governor over all persons, and in all causes*; beside what was presumptively asserted in our acts of parliament thereafter, as in the act for the *national synod*, and for the *restoration of prelacy*, and others: And how, by all these, and other things considerable, it was manifest and undeniable, that Erastianism was in the ascendent, and that the design of the rulers was to subject all church power unto themselves, and to assume as much thereof into their own hands as they thought fit, and to have the whole of it subordinate unto them. Now when this design was open and above board our very not withstanding and not opposing, in our places and stations, this Erastian design, was a virtual ceding and yielding unto these invasions and usurpations; how much more are they chargeable herewith, who willingly submitted unto the magistrate's actual usurpation of church power; and by accepting of this Indulgence, did put them in actual possession of what was but notionally, and in the theory, arrogate formerly, as to non-conformists?

6. It is granted by some, and cannot well be denied by any, that the magistrate's principal design, in granting the Indulgence, was the establishment of the Erastian supremacy: And if so, sure, it was the part of those, who accepted of the Indulgence, rather to have withstood this design, at least by simple refusing of that, the accepting of which (as every one might have seen) would contribute unto this Erastian design, and put them in actual possession thereof. Whether the magistrate himself doth look upon the accepters, as hereby acknowledging his Erastian supremacy, or not, is not much to the purpose; seeing the acceptance, as circumstance, was a virtual and real enough acknowledgment and confirmation thereof: And, it is like, the magistrate did design no more, not regarding whether they should openly and professedly acknowledge such a thing, if he himself were confirmed and secured in the possession of that Erastian usurped power.

But it will be said, that though it be granted, that the supremacy is now in its exaltation, and that Erastianism is the great design; and that such as minded to be faithful, should not cede in the smallest of the church's rights, not to the losing of one pin of the government: And that this Erastianism and supremacy hath acted, outed and overturned at its pleasure; and that the magistrate, in this offer of the Indulgence, doth still act, according to Erastianism, and own the same

supremacy, and intend its further establishment: Yet the indulged did only accept of a licence, which, when abstracted from its offensive circumstances, is a mere relaxation of the rigour of former edicts.

To which I answer, (1.) If this Indulgence did respect nothing but the persons and estates of ministers, then it might be looked on as a mere relaxation of the rigidity of former edicts, under which they groaned: But it is past all denial, that this Indulgence relateth more, yea, and principally, unto their office and function, and is designed (as is confessed) for the establishment of an usurped power over the function and ministry; yea, and includeth an acquiescing and submission unto acts, made and proposed by such, as confessedly act from a principle of usurpation, and that for the better establishment of the same, and confirmation of themselves in the possession thereof; and therefore the accepting of the Indulgence, cannot but contribute to the iniquitous ends proposed by the indulgers. (2.) Whatever that licence (as it is called) may be, or be supposed to be, when abstracted from its offensive circumstances; yet taken complexly with these circumstances, it must be condemned; and however, in our imaginations we may abstract it from these circumstances, yet we cannot do so in point of practice; seeing it is confessed, that the morality of actions do much (at least) depend upon circumstances.

7. This contrivance of Erastianism being so notour and undeniable, the yielding unto and accepting of the Indulgence, so conceived, so clogged and restricted, as it was, cannot but be contributive unto the same; and a plain (though not professed) helping forward of the design. Sure, the refusing of the Indulgence had been a sensible defeating of the design, and would have necessitated the designers, if so be they would still have prosecuted their intendment (as is probable they would) to have taken other measures, and invented other means, how to have accomplished their ends; and this supposable defeat is sufficient to show, how suitable a medium this was unto the projected end. It cannot be said, for obviating of this, that this is but accidental, and a mere probability: for it hath a necessary connexion with the end, as not only experience hath proven, but the very nature of the thing evinceth, as is abundantly cleared above.

VI. *How prejudicial this is unto the good of the church.*

THE discovery of this will serve for another head of argument against the lawfulness of this Indulgence: for certainly that cannot be a way approven of God, which is not for the edification of the body; much less that which is for its hurt and prejudice. Now that the Indulgence is of this nature, may hence appear.

1. Church history sheweth, what hurt came to the church by such a course as this, when Arian emperors, by their own sole power thrust out faithful, zealous and orthodox ministers, and put in Arian heretics in their places; and now by the Indulgence, the way is paved for the same course: so that now the magistrate hath no more to do, to get all the ministry on his side, and to carry on some corrupt and erroneous design, but to thrust out honest faithful men, and put in *brevi manu*, whom he will. Who will scruple at this now, after the indulged men have thus broken the ice? and who will once question the magistrate's power to do this, seeing they have so sweetly submitted in the beginning? *Turpius ejicitur quam non admittitur hospes*, it is better holding out, than thrusting out.

2. Our own history sheweth us, how noxious it was to our church, when K. James obtained but so much, as to have an eminent and active hand, or a negative voice, directly or indirectly, in the planting of all the eminent places of the land, especially of Edinburgh; though he never had the confidence to seek a liberty to do it *brevi manu*; but did it by collusion with the commission of the kirk, which was made to his mind: How quickly had he overturned all, if he had assumed the power to have transplanted ministers, as he pleased; and if ministers had complied with him therein, and upon his sole call, or act of council, had left their own charges, and gone to places whither he sent them? And what would these worthies, who opposed all his designs, in maintenance of the established order of the church, and of her power and privileges, if alive, now say, to see so many ministers, under so many obligations to maintain the liberties of the church, willingly obeying the council's call and act?

3. If according to this method, and the way now laid down, and put in practice, our magistrates, in all time coming, should follow this course, and put away what ministers

they pleased from one place, and thrust others in where and when they pleased; and in all this should meet with nothing but sweet submission; how long should our church enjoy purity? And how long should the gospel be preached in power, in any eminent place in the land? How long should gospel freedom be kept up, and the gospel flourish? And if all this should be, whom have we to thank therefore, but the indulged? Would not they have all doing, as they have done? Are not they a sad preparative? May not their example prove noxious to the following generations? And whither shall we then cause our shame to go?

4. According to this example, the magistrate might quickly banish all purity out of the kingdom, and turn all the land over into popery, by sending all the orthodox ministers to the Highlands, or to some one small and inconsiderable corner of the land (according as in the late act of Indulgence so many scores were cantonized in one or two dioceses) and suffering papists to preach where they pleased, or fixing popish priests in every parish. And if such a thing were intended, hath not the Indulgence broken the ice thereunto?

5. Nay, we see that in the very Indulgence, some such design is carried on; for by it, the far greatest part of the non-conform ministers were cantonized and shut up in twos or threes together, in one corner of the country, and all the rest of the land was given over to the will of prelates, papists, or Quakers: And if all the ministers named, had followed the example of others, what had become, ere this day, of the greatest part of the land? Was then this Indulgence the thing, which the general good of the church and kingdom called for? Were the indulged put in best capacity by the Indulgence, to serve their generation, according to the necessity of the day? Was this the only duty of the day? or did the Lord call for nothing else? Well is it, that we have such a proof of the contrary, this day, legible upon the face of that land; and that the very prisons can declare some other thing.

6. It being beyond all doubt now, that the assemblies of the Lord's people in houses, or fields, to partake of pure ordinances, with full freedom of conscience, hath been signally owned and blessed of the Lord; and hath proven a mean to spread the knowledge of God beyond any thing that appeared, in our best times, whereby the Lord preached from heaven to all, who would hear and understand it, that this way of preaching, even this way, was that wherein the soul of

God took pleasure, and to which he called all, who would be co-workers with him, this day, to help forward the interest of his crown and kingdom. Now, when in despite of this signal appearance of God, and out of enmity to the good done in these meetings, ways of cruelty are fallen upon, to suppress utterly all these rendezvous of the Lord's militia; and these coming short of effectuating the thing, Midianitish wiles are fallen upon, of which this of the Indulgence was the chief, of purpose to keep the country free of these solemn occasions of the Lord's appearances; can it be thought to be the duty of the day, and that which the Lord is calling to, to contribute our concurrence unto these stratagems of Satan, and welcome an Indulgence, devised of purpose to destroy the work of God? I leave the thoughts of this to themselves, when they are thinking of appearing before their Judge.

7. I shall not insist on that yoke of bondage, in the matter of stipends, which was hereby begun to be wreathed about the necks of ministers, to the inexpressible hurt and prejudice of the church. See what was remarked in the 4th place on the king's letter.

8. It will be more to our purpose, as in itself it is of greater moment, to consider how hereby a path-way was made, to make all the ministers of the land, in all time coming, wholly subject unto the council, even in all matters ecclesiastic, whether concerning doctrine, discipline, or manners; for hereby they became wholly subject unto the council, as being accountable only to them; and were so wholly at their devotion, that they were to stay in the places where they were set, only during their pleasure; and so might be coupled from kirk to kirk (as some of them were) no other ways than the prelate's curates are, at the pleasure of the prelate: Thus was the ice broken to the bringing of the ministry under perpetual slavery; and what should then become of the glorious liberty of our church?

9. Nay, as we saw above attested by open printed proclamations of the council, there was, in this Indulgence, a base and sinful compacting for the same, which, to me, is the basest of simony. A conditional accepting of the supposed favour, and, as it were, a formal bargaining for it, by taking the liberty to preach and perform the work of the ministry, on sinful conditions, even such conditions, as contained a giving up of the cause to the supremacy, and the Erastian design,

sign, as hath been shown above. And what a preparative this was, let any judge. I know, the indulged themselves will say, they are free of all compacting; and I shall not accuse them further than I know, or have ground: Yet this is certain, that the king's letter mentioned such and such instructions to be given to all the indulged; and it is also certain, that this letter was not altogether unknown to them. And when the instructions (which the council, in plain expressions, calleth, terms on which they granted the Indulgence, and the same was accepted) were tendered unto, and put in the hands of each of these in particular, who were called before the council *anno* 1673, I heard not of their expressing their dissatisfaction with these terms, so as to quit the benefit, or, as we say, to cast the bargain thereupon; and if all the ministers, that shall ever hereafter be admitted to preach the gospel, in Scotland, must follow this example, and give but an implicit consent unto these, or the like terms, imposed by the council, where shall then our gospel liberty be? And what shall then become of the liberty of our church? And how shall the ministers then be called the servants of Christ, and not the servants of men?

10. By the very subjecting to the council's instructions, to regulate them in the exercise of their ministry, they become thereby as formally subject unto them, in matters ecclesiastic, as any inferior civil officers, such as sheriffs, justices of peace, bailies, &c. who yet, it may be, shall as little observe all their instructions, as the indulged have observed theirs. this subjecting of the ministry, in its exercise, unto the magistrate, is a manifest enslaving of the same, to the unspeakable prejudice of the gospel, and hurt of the church.

11. What prejudice it is to the church, to want the free and full exercise of discipline, and that in the lawful courts of Christ, needeth not here to be told: And yet, in this Indulgence, there was an accepting of the exercise of the ministry, without the full exercise of discipline, save what was to be had in a sinful way, by compliance with prelacy; and so a tacit (at least) consent given unto this want. It will not be of advantage here to say, that the field preachers or non-indulged ministers, have no discipline, and yet preach: For all their preaching is *sub cruce*, not having so much as freedom to exercise any part of their ministry, and so are allowed of God to do all they can, when they cannot do all they would: and beside, it is alledged without ground; for which

no less signal countenance, they exercise some acts of discipline, such as receiving of penitents, then they preach, and in both are countenanced as his ambassadors. But the indulged are under the lee-sheet of the supremacy, having full peace, countenance and protection, as much as in our best times, and when our church was most flourishing; and yet dispense calmly with the want of church discipline, in presbyteries and synods; and how some of their sessions guide, and are constitute, is none of our glory.

12. Nor needeth it be told, what prejudice will inevitably follow upon the want of ordination, whereby a succession of the ministry is kept up, and the word committed to faithful men, according to Christ's appointment, who may serve the Lord in the work of the gospel, in their generation: How quickly, upon the want of this, a faithful ministry shall of necessity cease, every one may see: and yet the indulged have accepted of the exercise of their ministry, on such terms, or in such a way, as doth utterly incapacitate them for going about the necessary work of ordination. Their transgressing their bounds, and violating the injunctions upon their peril (if so be they do so, that they may ordain some) in order to the keeping up of this ordinance, is in so far commendable; but is not sufficient to expiate the guilt of accepting the Indulgence, which was thus clogged; as their whole relinquishing of the Indulgence, and betaking themselves to the fields, with the rest of their brethren, would prove a commendable after-wit; but would not say, that there was no evil in their accepting of the Indulgence, but the contrary rather.

VII. *How hereby our cause and ground of suffering is wronged.*

THE Lord's good hand of providence having so ordered it, that once a considerable company were willing to endure hardship, want and tribulation, for the truth's sake (and therefore choosed suffering rather than sin); which, howbeit it was upon some accounts sad and afflicting; yet upon the account, that the cause of Christ was owned, the work of reformation not condemned, but accounted still the work of the Lord, was no small matter of joy; though it might have been expected, that few or none of all the ministers, that had seen the great works of the Lord, should have so relinquished the interest of Christ, and embraced what once they had abjured; yet we ought to bless the Lord, that so
many

many abode steadfast in the day of temptation. But how joyful so ever it was to see such a goodly company, adhering to their principles, and fully following the Lord; it cannot but be as sad and afflicting, upon the other hand, to see this goodly bulk wretchedly broken, and to see men stepping off, and that such men, and so many such, and that after such a way, as cannot but be accounted a falling off from formerly received principles, and from the cause and ground of our sufferings. Now that the embracers of this Indulgence are justly chargeable herewith, may appear from these particulars.

1. It was a part of the reformation, which, through the special goodness of God, our church at length, after long wrestling, attained to, that the people should be restored to their right and privilege of calling, and making a free choice of their own pastors, according to the example of the pure and primitive church: And it was because they would not renounce this way of entry, that so many ministers were thrust out from their congregations, by the act of council at Glasgow. But in the Indulgence, there was an entering into the pastoral charge of a people, upon the act and call or order of council, without this free and full election of the people. The nominal call, that was precariously had thereafter, as to some, was but a mock call, and no foundation of their relation unto these places, as hath been seen. And how the council's act and order was exclusive thereof is manifest, and confirmed by the instance of Mr. Weir's process. Sure, as the election here was null, there being none to choose upon, and the call prelimited, because the council's order did not set such an indulged man over them, whether they would or not; so the making a shew of seeking or of getting a call from the people, after the ground of the relation was already laid, was the exposing of that order of Christ's to ludibry.

2. Multitudes of the non-conform ministers were ejected, and cast out of their places and congregations, because they would not acknowledge the power and interest of patrons, nor accept of their presentations unto flocks; but in this Indulgence, as we saw above, the interest of patrons is reserved entire: Though they should say, that they sought no presentations from patrons, nor had they any active hand therein, it will not much avail: For even several of the ejected ministers might have been free of ejection, if they could in conscience have yielded to so much, and acquiesced in this, that

that the patron should have signified to the bishop his presenting of such a person, and that without his express consent, or formal acceptance thereof: Yea how many had the presentation willingly and chearfully offered unto them undesired?

3. It is the chief coner-stone of our reformation, and the fundamental point, whereupon all the wrestlings, and sufferings of our church from the beginning have been stated, *viz.* That Christ is the alone Head of the church: But by the Indulgence another head is acknowledged beside him; when thereby it was declared, that the indulged held not their ministry of Christ alone: as we saw above on the first head, and first particular thereof.

4. So by the rest of the particulars, mentioned under that head, we see how many ways there was, in this Indulgence, a defection from former principles, and a falling off from our grounds, all which we need not here repeat.

5. We fall from our principles, and from the cause, upon which our sufferings are stated; when we cede and yield to adversaries, seeking to overthrow the pillars and grounds of presbyterian government; and in how many particulars presbyterian principles are, by this Indulgence, receded from, we have seen above, in the 2^d head.

6. It hath been the lot of the church of Scotland, from the very beginning, to be put to wrestle against the powers of the earth, encroaching upon the prerogatives of Jesus Christ, and the privileges of his church; and in contending for the same, against all such usurpation, did the faithfulness and stedfastness of our worthy and renowned predecessors appear and shine forth; and upon the account of their faithful adhering to the truth, and bearing witness against all usurpations, made upon the rights of the church, and on the jurisdiction of Christ, sole King of Zion; and for declining judicatories, acting by usurped authority, were they all along put to suffer in their freedom, persons, goods, &c. by tossings, citations, letters of horning, confinements, imprisonments, confiscation of goods, relegations, sentences unto death, and banishments. But now, what a falling off this ground, ceding to usurpations, homologating of the supremacy, and establishment of Erastianism is in the Indulgence, is manifest from the particulars mentioned under the 3^d and 5th head.

7. We need not forget, what was one main ground of the

actings of our worthy and valiant predeceffors, in the years 1637 and 1638, *viz* That ecclesiastic caufes fhould be determined by lawful ecclesiastic judicatories, and civil caufes by parliaments and other civil judicatories. But to homologate a power in the civil magiftrate, as fuch, to cognofce upon, and judge in church affairs, immediately and formally, is to condemn all thefe actings, and all the actings of church and ftate fince, upon that ground; and a plain relinquifhing of that foundation. And that by the accepting of the Indulgence, fuch a power is acknowledged to be competent to the civil magiftrate, as fuch, hath been manifefted above, in feveral particulars, let us here but name that one inftance of the council's fole judging of the fitnefs and qualifications of a perfon for fuch or fuch a charge, in reference to his fettling there, as paftor of the place; which is an ecclesiastic caufe, and hath been always fo accounted. But it will be faid, no man needs queftion their abilities, fome having been minifters, in the moft eminent places of the kingdom. For anfwer, I fhall not queftion their abilities, though it may be, the carriage of fome of them hath been fuch, fince this defection began, as would make a confcientious church judicatory not a little averfe from admitting of them within their bounds, if the acts of our general afsemblies, by which they ftand cenfurable, were in any regard. But however, the civil magiftrate is here made fole competent judge of this fitnefs; and by what right he hath appointed thefe to go to the places, particularly defigned, he may appoint others to go to fuch places, for which no church judicatory, acting confcientioufly, would judge them qualified: And who can challenge them upon this account, feeing they are fole judges themfelves?

8. In King James's days, feveral faithful and honeft minifters were banifhed from their own churches, and confined in other places of the land, and feeing no hope of getting the civil fentence taken off, were neceffitate to accept of a call to ferve the Lord, in the places where they were confined; but we never find, that they took the charge of fuch or fuch a flock, upon the edict or act of council, enjoining them thereunto.

9. Who ever heard before, in our church, minifters appearing before the privy council, and there receiving directions, inftuctions, rules and canons, directing them how to regulate themfelves in the exercife of their minifterial function?

tion? And when the indulged persons did thus, who can asseil them from a plain defection from our cause and principles? Put the case, that some ministers had done so in the year 1649, how would they have been looked upon by our general assembly? Or if our parliament and council, *anno* 1648, had turned out such as were against the duke's engagement, and thereafter had ordered them to go to such and such places of the land, as they thought fit, giving them withal such instructions, as here were given to the indulged, if these ministers had carried but just as our indulged did, I leave to all to judge, whether or not they had been looked upon as deserters of our cause.

10. We know what sufferings those faithful men underwent, when after so long imprisonment they were at length condemned at Linlithgow, *anno* 1606, for declining of the privy council, when about to judge them in the matter of a meeting kept, or offered rather to be kept, at Aberdeen: But now we find several indulged called before the privy council, there to be judged concerning their baptizing of some children within the covenant; a matter no less unquestionably ecclesiastic, than was that meeting at Aberdeen; and instead of giving in a declinature, we heard of nothing, but of a simple excuse, that they had not seen those orders, plainly showing, that if they had seen them, they had obeyed them: was not this a manifest defection from our principles and cause?

11. I might mention under this head, the indulged persons their forsaking and laying aside, at the command or desire of the council, that useful and commendable piece of our reformation, I mean the lectures, or explication of the scriptures; against which nothing can be supposed to move our adversaries, but only that it is a piece of reformation; yea, the only remaining monument of that blessed work, all which they abhor.

12. We are engaged, as will not be denied, against prelacy; and yet the indulged did virtually engage to support that, which they stand obliged to pull down, by receiving of these injunctions, which ordered them to do many things, tending to the strengthening of the prelatical invasion: Of which more particularly in the following head.

VIII. *How the hands of prelates are hereby strengthened.*

CONsidering how we stand engaged against prelates and prelacy, every sinful course, that hath a tendency to strengthen their hands, and to fix them in their tyrannical usurpations over the church, should be so much more abhorred by us; yea, what otherwise might be lawfully done, in this case, should be wholly forborn. We shall therefore take notice of the advantages given to prelacy by this Indulgence. As,

1. Not to mention the open door, that is left unto them, to accept of the prelate's collation, nor the encouragement they have unto the seeking and obtaining of this from the bishop, in and by this Indulgence; we may take notice of this, that hereby they put themselves in prison, and the key of their prison door is in the prelate's hands; for without licence, granted by the bishop of the diocese, they may not go without the bounds of their confinement. And, sure, as this is no small disadvantage to themselves, but a manifest exposing of themselves unto temptation; so it is a great power and advantage granted to the prelate over them; which slavery and bondage they had been free of, if refusing the Indulgence, they had remained in the same condition with the rest of their non-indulged brethren.

2. There is in the accepting of the Indulgence, a voluntary withdrawing of an helping hand from the greatest part of the land, groaning under the tyranny of prelacy; and a leaving of the same unto the will and pleasure of the prelates and of their curates; for hereby they willingly did give up themselves to be inclosed within their several designed and limited places, and were content their ministry should be there confined, let the necessity of the church be what it would, or could be. Thus, as to them, the prelates and their curates were left in the peaceable possession of all the rest of the land, which was no small advantage, seeing they were secured as to them, in all time coming; and had no ground to fear, that they should lessen their kingdom, and beat up their quarters, with field and house meetings, as others non-indulged did, and are doing, to the glory of God, and to our comfort.

3. Not to mention the friendly and brotherly love and correspondence, that some have observed betwixt some of the
indulged,

indulged, and their neighbour hirelings, who are under the prelates the general deadness and slackness as to any zeal against the prelates and their wicked courses, which is commonly observed, wherever the Indulgence is, is no small proof of the advantage, which prelates and prelacy have had by the Indulgence: Prelates themselves will possibly say, that one field conventicle hath done them and their cause more prejudice, than many preachings of all the indulged men: Tho' I am far from thinking, that the preachings of the indulged have any direct tendency to strengthen the course of prelacy; yet what I have said being generally observed to be true, themselves are concerned to search, whence and how it cometh to pass, that it is so; as also, how it is that so many observe a greater keenness in them, against the field preachers, than against the prelates; yea, and the supremacy, even in their sermons.

4. It may have some weight, as to this, to consider, how by their accepting of the Indulgence, which floweth from the supremacy, the prelates are ready to look upon themselves as justified, in accepting of prelacy from that same supremacy, for, may they think, these men cannot blame us for acquiescing unto the determination of the king, acting by virtue of his supremacy in church affairs, and over all church persons, and accepting of that charge and place, which is given to us, in the church, from him, who hath full power to dispose of ecclesiastic persons, as he will; seeing they themselves have acquiesced unto the determination of the king, acting by virtue of his supremacy over church persons, and accepted of what charge and place in the church he thought fit to give them, and took their instructions to boot.

5. In accepting of the instructions, they virtually engaged themselves to several things, which could not but strengthen the hands of the prelates and their curates. As, (1.) To admit none of the people, who live under curates, unto their sermons. (2.) Nor to admit them to their communions, without the allowance of the curates. (3.) Nor to baptize their children, without the same allowance. (4.) Nor to marry any, living within their bounds, without the said allowance, if the place be not vacant. (5.) They are ordered also to observe presbyteries and synods, which are now wholly prelati cal. (6.) Matters of discipline and censure, which usually came before presbyteries and synods, are ordered to run in the same channel. By all which (not to mention their

their paying of dues to the clerks of those episcopal meetings, which was also enjoined) it is obvious and plain, how the hand of the prelates and their curates were to be strengthened; and if these orders had been punctually observed, themselves, I hope, will grant, that hereby the hands of these adversaries had been strengthened; and if so, sure I am, their receiving of these injunctions, and of their licence upon condition of observing them, was a virtual engaging of themselves hereunto.

IX. *How it is against our Covenants.*

I Hope, it will be granted, that the obligations of the covenants, vows and solemn engagements are upon us; and that I need do no more here, than show, wherein the accepting of this Indulgence was against our covenants; and this is to me manifest from these particulars.

1. It is a chief part of that religion, and head of that doctrine, that we are obliged by all our covenants and vows to defend, *viz.* That Christ is sole King and Head of his church, which is his house and kingdom; and consequently, we are obliged to do nothing, that may wrong his right, and entrench upon his royal prerogatives. But what wrongs the accepting of this Indulgence carrieth along with it, against the royal prerogatives of Christ, as sole Head and King of his church, we have seen above, under the first head, and we need not here repeat them.

2. We are obliged by our covenants to defend and own presbyterian government, as is granted by all: but in how many particulars this Indulgence crosseth the principles of presbyterian government, we have seen above, under the second head; and as to all these particulars our covenants are violated.

3. How we are engaged by our covenant against prelacy, the second article of the Solemn League and Covenant can tell us; and how many ways the accepting of this Indulgence, did contribute expressly or virtually, unto the strengthening of prelacy, we saw above, under the foregoing eighth head: And it is past all question, that these particulars there mentioned are utterly inconsistent with an *endeavour to extirpate prelacy.*

4. We cannot be ignorant, that in the *solemn acknowledgment of sins, and engagement to duties*, we vowed and swore
to

to study and endeavour to preserve religion in purity, against error, &c. and particularly against Erastianism, in these words, *Because many have of late laboured to supplant the liberties of the kirk, we shall maintain and defend the kirk of Scotland in all her liberties and privileges, against who shall oppose and undermine the same, or encroach thereupon, under any pretext whatsoever.* And certain it is, that Erastianism was never so regnant in Scotland, as it is, and hath been, since this catastrophe began, and that the liberties and privileges of the church are not only now opposed, encroached upon, and undermined, but overturned and quite taken away. Now, how became it all, who minded faithfulness and stedfastness in their covenant, to stand fast in this particular, and be tender of all the privileges of the church, and to guard against every thing, which might contribute in the least, or be justly interpreted to contribute unto this invasion, or prove a consent thereunto? But on the other hand, in how many particulars, the accepters of the Indulgence stand guilty here, hath been shown above, and may be seen under the third and first heads.

5. We are expressly bound by our covenants, not to suffer ourselves directly, or indirectly, by whatsoever combination, persuasion, suggestion, allurements, or terror, to be divided or withdrawn from our blessed union and conjunction, whether to make defection to the contrary party, or to give ourselves to a detestable indifferency or neutrality. But, now, as to this Indulgence, what a divisive motion it was, is notour enough; and it was, by the confession of some of the chief of the indulgers themselves, said to be intended for that end; and beside this, the thing itself speaketh out this with a loud voice. How manifest and great a breach is hereby made among the suffering remnant, is beyond all denial; and how great, consequently, and manifest the breach of covenant is, upon this account, is, alas! too obvious and plain.

X. *How hereby they condemn themselves.*

THIS consideration may also furnish us with another head of argument against this Indulgence, that the accepters thereof have thereby, in several particulars, condemned themselves, as to their former principles and practices: And this consideration may be looked upon, as an *argumentum*

tum ad hominum, as it is called : An argument, that may militate against them. Now this self-contradiction of theirs appeareth in these particulars.

1. I shall suppose, that several of them at least (for I love to judge the best) were no enemies to field and house meetings, howbeit condemned by the law; and that possibly some of them did preach sometimes at such meetings; though the qualification, required in the king's letter, and presumed by the council to be in them, to wit, of living *peaceably* and *orderly*, would say some other thing. And if they did approve of these meetings, and of that way of preaching, for spreading of the gospel, and doing good to the suffering church of Scotland; they could not but, in so far, condemn all courses and ways taken, or to be taken, of purpose to hinder that good work; and consequently condemn the Indulgence, which was manifestly contrived for that end. But now in accepting of the Indulgence, they have approved what formerly they condemned, and have condemned what formerly they approved.

2. They all, I suppose, do condemn the supremacy, as an usurpation, not to be allowed; for I never heard of any of them, save one, of another judgment in that particular. But in accepting of the Indulgence, they accept of that, which purely floweth from the supremacy, and which had never been, if the supremacy had not been usurped, and which hath no legal being but by the supremacy and its explicatory act, which is all their legal ground of security, as hath been manifested above: And therefore do homologate, and virtually approve of that, (as was manifested under the 3^d head) which they have condemned; and so have acted inconsequentially to their own principles.

3. I likewise suppose, that they condemn the entry of the curates, who have entered by the prelates: And whatever accidental differences may be betwixt their entry, and the entry of the curates; yet in this main and principal ground, whereupon both are to be condemned, they agree, *viz.* That the entry of both is founded upon the supremacy: For the prelates have their power in the church from the supremacy; and so doth the council act in church affairs by virtue of power, flowing from the king, as supreme in church affairs; and curates enter immediately by the prelates, and the indulged enter immediately by the council; and both enter mediately by the supremacy, but with this difference, that the

the conveyance seemeth to be more ecclesiastical, as to the curates, prelates, as such, being supposed at least, ecclesiastic persons, and so called, than it is as to the indulged, the council neither really, nor nominally being a church judicatory.

4. They formerly refused to stay with their charges, by virtue of a presentation of the patron, who possibly would have granted it undesired; and yet now they have accepted the same charges, and some have accepted of other charges, not without the consent of the patrons, according to the standing law; and the same is expressly mentioned, as had and obtained by the council, in order to their legal establishment. In so far, therefore, they cannot but have condemned themselves and their former principles and practice.

5. We know how many of these same brethren refused the accommodation, that was offered by B. Lightoun; therefore would not join nor concur with the prelates, or their curates, in their presbyteries and synods; and yet with the Indulgence, which they embraced, was this, among other instructions, given, that they should repair to these meetings, and refer causes, usually referable, thereunto; and though they did not obey the said injunctions, yet their receiving of them, at the council's bar, was a virtual approbation, yea, and a promise of performance; and that so much the more, that the favour was offered upon these terms, as the council expressly declared. But further, we may draw a parallel here, whereby it may distinctly appear, that their refusing of the benefit, offered by the accommodation, did condemn their accepting of the benefit, offered by the Indulgence: As (1.) the exercise of the ministry in preaching is a part of the ministerial function; so is the exercise of discipline. (2.) As the one exercise doth natively and originally flow from the appointment of Christ, and power given by him; so doth the other. (3.) As it is unlawful to acknowledge and submit to the usurpation of prelates, in the exercise of discipline; so it is unlawful to acknowledge or submit to the usurpation of the council, in the exercise of other parts of the ministerial function. (4.) As in following the Indulgence, we may possibly imagine, that we act by virtue of our ordination, solely and purely; so in sitting in presbyteries, we may likewise imagine that we act by virtue of our first ordination. (5.) As the interposition, or intervention, of the prelates usurpation altereth the current of the exercise of discipline; so doth the interposition or intervention of the

magistrate's usurpation alter the current of the exercise of preaching, &c. (6.) As in the exercise of discipline, in those meetings, the acceptor of the accommodation would have yielded himself up to be accountable to the prelate; so, in the exercise of the ministry, the acceptor of the Indulgence yieldeth himself up to be accountable to the magistrate, who gave him these instructions, in so far as concerneth these; yea, in the offer of the accommodation, there was this advantage, that the acceptor had full liberty granted to him, at his entry to these meetings, to declare, that he did not renounce his own private opinion anent church government, and to enter his declaration in what form he pleased: But the acceptor of the Indulgence had no such liberty granted to him, though the deed was as manifestly a compliance with Erastianism, as the other had been with prelacy. But it will be said, that the main ground of scrupling at the accommodation, was, that these meetings were not true presbyterial meetings, these being discharged by authority, and all their warrant in law removed, and those new meetings being enjoined for establishment of prelacy, on which they were wholly to depend. I answer, I am not seeking to weaken any ground of scruple, which these brethren had against the offered accommodation; but am only showing, that what grounds moved them to scruple at the accommodation, these same should have prevailed with them, to scruple at the Indulgence; and therefore shall hold forth the parallel of the two cases, even as to this ground: So that, (1.) As no act of civil authority can lawfully depose a minister from the *jus* and right of preaching; so neither from the *jus* and right of exercising discipline. (2.) As civil authority can only impede the actual exercise of the one, in such or such a particular place; so only can it impede the actual exercise of the other. (3.) Civil authority could not take away the *jus* of presbyterial meetings, but only impede their exercise; as civil authority could not take away the *jus* of a minister's preaching, as pastor over such a charge; but only impede the exercise of that function. (4.) As notwithstanding of all that the civil authority did, ministers retained a fundamental right to exercise the office of a minister, in their several congregations; so, notwithstanding of what the magistrates did, they retained a fundamental power and right to meet in presbyterial assemblies for the exercise of discipline. (5.) If yet, notwithstanding of this, presbyterial meetings are said to be quite overturned by the magistrate's

magistrate's discharge, and casting the laws made for the establishment thereof; why may not also the minister's relation to such a flock as pastor thereof, be said to be annulled by the magistrate's act, discharging him to preach there, and casting the law establishing the right way of entry by free election of the people, without presentation of the patron? (6.) And if after what hath been done by the magistrates, in taking away the old presbyteries with their legal ground, any new meetings that are, being appointed for establishing of prelacy, be prelatical meetings; why may not also this new pastoral charge, being appointed by the magistrates, for establishment of Erastianism, after all that hath been done, in taking away the old relation with its legal ground, be an Erastian relation; and consequently as much to be scrupled at as these meetings?

6. No doubt, these brethren would have scrupled to have taken the bishop's collation: And in accepting of the Indulgence, I judge, they have condemned themselves in this: For whatever reasons could have moved to have scrupled *that*, the same, or the like should have moved them to have scrupled *this*; as will appear by the parallel, in these particulars, (1.) If the indulged think that the Indulgence is but a partial restitution of the liberty, whereof he was totally deprived; so the minister, that accepteth of the prelate's collation, may judge and say, that it includeth not ordination, for he was an ordained minister before; but is only a granting of liberty, for the free exercise of the ministry. And he may think, that by no reason he can be construed to acknowledge more, as well as the indulged minister may think. (2.) As he, who submitteth to collation, acknowledgeth and preferreth the prelate, as a proper minister of Jesus Christ; so he who submitteth to the Indulgence, acknowledgeth the magistrate, or the council, to be the proper subject of formal church power, which is tantamount to the making of them ministers of Jesus Christ, yea, which is worse, he ascribeth unto the magistrate, that architectonic power in church matters, which is proper to Christ, the only Head of his church. (3.) As in collation there is a formal acceptance, a direct submission and recognizance, and as significant a transaction, as if the bishop did expressly stipulate, and the other consent and promise; so in the Indulgence, (as hath been cleared above) there is a formal acceptance, and a plain submission and recognizance; and as significant a transaction (if the council

be to be believed) as if the council did expressly stipulate, and the other consent and promise. (4.) Suppose the prelate should send to an outed minister a warrant, licensing him to go to another church than his own, (I state the supposition thus, in case any should think there is a difference betwixt a collation, and such a license) would the outed minister, or any of those who are now indulged, accept of the same, and upon that sole ground, look upon himself as minister of such a place? If not, why did they accept of such a licence from the council?

XI. How thereby the meetings of God's people are prejudged.

IF the indulged ministers be not real enemies to, and utterly dissatisfied with the assemblings of God's people in houses, or in the fields, against which the rage of rulers hath appeared so much, by terrible acts and proclamations, and more terrible executions, (as I desire to think they are not) it will easily be granted, that if their accepting of the Indulgence, be really prejudicial unto the carrying on of the work of God, in and by these meetings, nicknamed Conventicles; or if it be found, that by the accepting of the Indulgence, they have contributed unto suppressing of these meetings: and consequently, that interpretatively they may be charged in part with the severities, exercised against the same, if, I say, this be made probable and likely, we will have, upon this account, a new head of argument against the accepting of this Indulgence, which deserve some consideration here.

What have been the tossings, harassings, afflictions, vexations, and sufferings, that the servants and people of God have met with; because of their following of this necessary and signally blessed duty, none of the inhabitants of the land can be ignorant of; and the jailors can abundantly witness unto this very day, together with the barbarous soldiers, who readily did and do put in execution the cruel commands of their enraged masters: And it would be too long and too tragical a history to make a full and faithful relation of the same. It would be tedious also to make mention only of all the acts, edicts, proclamations, and other things of that kind, that have been made and emitted against the said meetings, breathing forth nothing but the height of cruelty and rage, imposing exorbitant fines upon all persons found at those meetings, threatening death to the ministers; giving encouragement to
soldiers

soldiers to apprehend the hearers, by the promise of their fines and escheats, and to apprehend some certain ministers by the promise of two thousand marks; and to apprehend all others, preaching at such meetings by the promise of one thousand marks, besides other rewards. It would likewise prove too long, to give but an account of the letters of intercommunings, against multitudes both of ministers and professors, simply upon this account, dated Aug. 6. 1675, whereby all the subjects were prohibited to reset, supply or intercommune with any of the persons therein mentioned, or to have intelligence with them by word, write, or message; or furnish them with meat, drink, house, harbour, victual, or any other thing useful, under the pain of being reputed art and part with them, in the crimes of rebellion mentioned, and pursued therefore with all rigour. Only, from all these it is manifest, what an eye-fore these meetings have been, and yet are unto the rulers, and with what edge and eagerness they have laboured by all means possible, to suppress and quite destroy the same.

This premised, in order to our design here, we desire that these following particulars may be pondered.

1. It hath been manifest above, both from the king's letter and other particulars, beside the notoriety of the thing itself, that the Indulgence was contrived of purpose, for this special end, among others, to bear down and extinguish these meetings, nicknamed Conventicles.

2. It is certain, that all such, as have accepted of the Indulgence, have for the most part laid themselves wholly aside from this necessary work of the Lord this day, and have received a letter of ease from this troublesome and hazardous employment of carrying the news of the gospel, from mountain to hill; (to which the Lord is calling aloud this day, and graciously encouraging by his wonderful blessing the labours of these few, who yet venture) and have given themselves to rest, under the covering of the supremacy.

3. It is likewise manifest, that if all the rest of the ministers, named in the council's acts, had done as they have done, and had accepted of that supposed favour, and submitted unto their order of Indulgence and confinement, there had been few left to have carried on that great work of the day, which appeareth to be the work, that God is in a special manner calling unto.

4. If all had refused to accept of that Indulgence, and had concurred

concurrent with one shoulder to carry on that great and necessary work of the Lord, the rulers had been utterly frustrate in their design of banishing these solemn assemblies, these royal rendezvous of Christ's militia, and these solemn occasions of the Lord's appearing in the power of his grace, out of the land: And, on the other hand, the accepting of the Indulgence hath encouraged them in their wicked purpose, fortified them in their resolution, and animated them unto a following forth of their design, by all their cruel acts and bloody executions.

5. By accepting of the Indulgence, not only have the accepters laid themselves aside from this necessary and blessed work; but likewise all these people, over whom they are set by the council, are withheld or withdrawn from waiting upon the Lord, at these blessed and wonderfully countenanced occasions. Whereby the followers of the Lord are broken, divided, and weakened, and so become a more ready prey unto the adversary: For,

6. If all the outed ministers had faithfully and diligently gone about this work, and had, for that end, divided themselves through the land, the work had been more successful, the followers of the Lord had multiplied, and had remained unite in one entire body; the adversaries had been put to a demur, and had not got such advantage, as now they have got; and the people of the Lord had had more freedom to serve him, and had been more secured from danger: Whereas now, when reduced to a few number, their assemblies are the more laid open unto the persecution, and fiery pursuit of rulers, and exposed more to hazards and grievous difficulties, as experience hath proven.

7. Wherefore, seeing by accepting of and submitting to this Indulgence, there is a contributing of a concurrence with the rulers, in their wicked design of banishing all these meetings out of the land, which manifestly had been defeat by a plain and positive refusal of that supposed favour; and seeing the same is so inconsistent with the keeping up of these meetings, and infallibly effectuateth a relinquishing of them by many, and a diminishing of their number; it is undeniable that the accepters of this Indulgence have, in so far, and upon the matter, condemned all those meetings; and consequently approven all the opprobrious and false epithets given unto them, and persecution made against them by the rulers.

8. Having thus exposed the residue of the faithful of the land,

land, (who through grace are resolved to follow the Lord with full purpose of heart) unto the fury of the adversary, they become interpretatively guilty of and accessory to all the cruelties and barbarities, used and exercised upon ministers and professors, for adhering unto that way.

These things might be further enlarged and exaggerated; but I choose only to mention them, and proceed.

XII. *How scandalous and offensive it is.*

THE real ground of offence, that was in the accepting of this Indulgence, and the scandal that was thereby given to one another, is valid enough alone to militate against it, and sufficient to condemn it, unto all who understand the nature of scandal, and the dreadfulneſs of the ſin of giving ſcandal by any thing we do, whether as to matter or manner; and who remember what Chriſt and his apoſtles have ſaid of this, Matth. xviii. 6, 7, 8, 9. with the parallel places, Mark ix. 42. and Luke xvii. 1, 2. Rom. xiv. throughout, 1 Cor. viii. ix, and x. chapters: And there is no way to evite the force of this argument, but by affirming and proving, that the action, at which offence is taken, is not only lawful in itſelf; but, as circumſtantiated, is expedient and neceſſary to be done; as all orthodox in this matter know, and as may be ſeen in the diſputes of our predeceſſors againſt the formal-iſts, eſpecially in the Engliſh popiſh ceremonies; and in the debates of the non-conformiſts in England, this day, with their adverſaries, upon this head.

Wherefore, ſeeing it will be eaſily granted, that the accepting of the Indulgence, was not a thing in itſelf neceſſary, ſo as it could not be reſuſed without manifeſt ſin againſt the Lord; and we have ſufficiently, by our foregoing arguments, proven the ſame to have been ſinful. And ſeeing it will not be ſufficient to ſay, that it was a matter in itſelf lawful, or indifferent, ſeeing what is lawful in itſelf may become, by reaſon of ſome circumſtances, inexpedient, and what is inexpedient, in ſo far as inexpedient, is unlawful; and by what we have ſaid, we ſuppoſe it is apparent, that none can with any ſhow of reaſon affirm, that it was expedient. Seeing, I ſay, the matter ſtandeth thus; and ſeeing withal it had ſuch a manifeſt appearance of evil in it, and that upon ſo many accounts, as hath been cleared, upon all which, it cannot but be conceived, to have been very ſcandalous and offensive.

In prosecuting of this head, I might here make a large recapitulation of the particulars, wrapped up in that complex business, considerable in the circumstances thereof, and in their carriage, at the receiving thereof, and at their receiving of their instructions, and otherwise; and show how, by all of these, they gave offence: But to shun prolixity, I shall leave that, knowing that the judicious reader will have observed these things, in the perusal of what is said above.

All therefore that remaineth here to be done, is to show what appearance of evil, and real matter of scandal there was, in the accepting of this Indulgence: And while I am to do this, I would have no man thinking, that hereby I do in the least weaken my foregoing arguments, proving it sinful; for it is a truth, that the open committing of a manifest sin is scandalous; and no man can say, that the scandal, arising from an action, maketh that action indifferent, and not sinful, in itself, or *extra casum scandalii*. But because we ought all to be tender of the spiritual welfare of our brethren, and carefully to guard against the laying of a stumbling-block before them, or do any thing that may induce them to sin, or tendeth thereunto, or to retard them in their spiritual journey, &c. Therefore *ex superabundante*, an argument hence may be convincing.

In order therefore to the holding forth of the scandalousness of this action, I shall only mention the several persons, unto whom hereby scandal was given, and clear the same in a word.

1. The accepters of the Indulgence, did hereby give offence unto such of their brethren, as had the offer, but were not clear, nor convinced of the lawfulness of the embracing of such a favour, at such a time; for by their example these were encouraged and moved to do that, which they judged sinful and unlawful for them to do: And thus was there a stumbling-block, and an occasion to fall, put in their brother's way, Rom. xiv. 13. And it is evil for any to do such a thing with offence, even though it were in itself, and as abstracted from circumstances, lawful and pure, Rom. xiv. 20. Nay, suppose that those brethren had scrupled out of mere weakness; yet, if the taking of the Indulgence be not said to be a necessary duty, (as I suppose it will not be said to be) in this case, it should have been forborn, according to the doctrine of Paul, 1 Cor. viii 9, 10, 11. *But take heed, lest by any means this liberty of yours become a stumbling-block*

to them that are weak : for if any man see thee, which hast knowledge, sit at meat in the idol's temple, shall not the conscience of him which is weak, be emboldened to eat those things which are offered to idols ? And through thy knowledge, shall the weak brother perish, for whom Christ died.

2. They gave offence unto others, who had not this in their offer, yet judged the accepting thereof unlawful; upon the ground last mentioned ; and therefore should have hearkened unto the direction of Paul, in a like case, 1 Cor. x. 28, 29. *But if any man say unto you, This is offered in sacrifice unto idols, eat not ; for his sake that shewed it, and for conscience sake. Conscience, I say, not thine own ; but of the others.* And accordingly have refused that Indulgence, seeing there wanted not who told them of the evil, they conceived to lie therein.

3. They gave ground of offence unto the godly professors of the land, who looked upon that course (as they do to this day) as homologating the supremacy and as strengthening the Erastian invasion, and so gave ground to them to think, that they had departed from their principles, and to be grieved thereupon ; the consideration of which should have prevailed with them, to have refused this pretended favour, according to the direction of Paul, Rom. xiv. 15, 16 *But if thy brother be grieved with thy meat, now walkest thou not charitably. Destroy not him with thy meat for whom Christ died. Let not then your godd be evil spoken of.*

4 It was a great ground of offence unto the whole suffering church of Scotland, in them thus to withdraw from their brethren, and leave them in the furnace, contrary to their former engagements ; not to mention the other particulars, wherein we found their sacred bonds hereby violated, which necessarily became a ground of great offence unto all ; nor to mention these particulars, whereby we manifested above, that the accepting of this Indulgence was injurious unto Christ's Headship, unto the privileges of the church, and to the principles of presbyterian government, and others ; from all which it is undeniably clear, that a palpable ground of stumbling was laid before, and offence given unto all the honest party.

5. Great offence and matter of grief was hereby given unto the few, that continued at their master's work, in preaching in houses, or in fields, as occasion offered ; for, hereby their hands were weakened, the number of the bearers of

burden waxing smaller, even while the work was growing upon their hand; and they were made, out of a preposterous tenderness unto them, who had thus stepped off, to forbear preaching in such places, where these were indulged unto, though formerly they used to meet with some encouragement in those places.

6. Hereby was offence given unto the prelates, and to their under curates, when they were hereby confirmed in their usurpation and defection: That action is indeed scandalous, that edifieth not, (as the apostle's word is, 1 Cor. viii. 10.) or emboldeneth, or confirmeth any in an evil course; the particulars hereof were mentioned above under that head.

7. There was hereby a stone of stumbling laid before the rulers, for they were hereby encouraged to proceed in their encroachments upon Christ's prerogatives, and on the privileges of the church, when they saw their contrivances for that end so sweetly complied with, and heard nothing of a plain, direct, apposite and intelligible testimony given against them, and their proceedings.

8. There is a stone of stumbling hereby laid before the posterity, in all time coming; for if the rulers shall follow this course, and suffer no minister to be settled any where but as they please, and shall plant and transplant as they please, without any regard had either unto the free call of the people, or the trial or examination and ministerial mission of church judicatories, and prescribe unto them what rules and instructions they think good; what shall the posterity do? Will not intrants, in that case, willingly submit, and think themselves obliged to do so, having such a preparative before them?

9. Will not this be an afflicting and stumbling consideration to any, that shall read the history of our church; when they shall there see, with what courage, faithfulness, and heroic resolution, the faithful and zealous ministers of Christ, maintained by petitions, declarations, protestations, declinations, and sufferings of all sorts, the power and privileges of the church, against all encroachments and invasions, made thereupon by king and court; and now shall see such a company of ministers, upon such small temptations, at least, as to hazard complying with and submitting to more grievous usurpations, that ever King James did attempt? We now where read, that ever King James, notwithstanding of all the supremacy, in church affairs, and over church persons and
officers,

officers, that was assumed by him, and attribute by parliament to him, did exert such a supremacy over church officers, or ministers. as to plant them, and transplant them *brevi manu*, as he pleased. And is it not an heart-breaking thing to think, that now, when this usurpation hath transcended all imaginable bounds, there should not only be no opposition made thereunto; but even a peaceable compliance with, and quiet submission unto the same, now in its exaltation?

10. What a stumbling thing is this unto all the reformed churches, when they shall hear, that so many Scottish ministers, who refused to comply with prelacy, have yet submitted to such an exercise of Erastianism, as is no where else to be found, through the whole Christian world, for any thing I know? Where shall we find the magistrate, at his own hand immediately, planting and transplanting ministers, as he will, fixing and limiting them, according to his mind? Nay, I doubt, if even in the Palatinate, where this woful weed of Erastianism did first grow, such an exercise thereof is to be found: or if it be, what a shameful thing is it, that the like should be found in the church of Scotland, which the Lord hath honoured from the very beginning, to be tried and exercised, upon the point of Christ's kingly power, and Headship over his church, beyond all other reformed churches?

Objections answered.

HAVING thus shown how sinful the accepting of this Indulgence was, upon many accounts, it remaineth, that we remove out of the way what we conceive can be said in the defence thereof; to the end, we may give all satisfaction possible.

Obj. 1. May not the magistrate, for ends known to himself, discharge ministers to preach, for a time, and thereafter permit them to preach? And seeing the business of the Indulgence was but of this nature, why might it not be acquiesced unto? *Ans.* (1.) That the Indulgence was some far other thing, is manifest from what is said: And beside other particulars, fully spoken to above, this one may manifest the disparity; That it is one thing to permit ministers to exerce their office without molestation; and it is a far other thing to appoint and order them, to take upon them such or such particular charges; and to plant and transplant them, at their pleasure, and subject their ministry in its exercise un-

to themselves, by giving injunctions, rules and prescriptions, to regulate them in the same (2.) We heard above, how Mr. Calderwood and Mr. Rutherford did account even that discharge a degree of suspension, which is a church censure, and consequently is to be inflicted only by those, who have the power of the keys. (3.) Worthy and learned Trochreg, in his commentary on the epistle to the Ephesians, chap. vi. ver. 20. p (*mibi*) 1122. proveth solidly, that this power of discharging ministers the exercise of their function, doth neither agree to Heathen magistrates, nor yet unto Christian magistrates, who, by their Christianity, have received no new power or right over Christ's servants and messengers; nor may discharge them from delivering their message; nor depose them, whom they could not ordain; nor stop their mouth, whose mouth they could not open; nor silence them, whom they could not send forth to preach. (4.) When the magistrate silenceth, it must either be for a civil, or for an ecclesiastic crime: If for a civil crime, he can only do this consequently and indirectly? as Solomon removed Abiathar from the priesthood, by banishing and confining him to Anathoth. But then (as Mr. Rutherford, in his *Due Right*, &c. p 434. saith well) he no more removeth a minister from his ministry, than a master fashioner, a sailor, a plower, a soldier, a father, or a husband, from their work and respective employments, when he causeth imprison, hang or behead them for some crime; nor doth he at all remove him from the ministry directly, neither can he do it; for that is a church censure, and the keys are not committed unto him. Nor can he do it for any ecclesiastic transgression, wherein he is no competent judge: Nay, nor can he indirectly and consequentially, in this case, remove any minister from the exercise of his ministry, where the church is settled in her power, except only *causatively*, by commanding the church judicatories to do their work first; that is, first to judge; for in *prima instantia*, he may not do it: or *corroberatively*, by backing the sentence of the church judicatory with his civil sanction and authority.

Obj. 2. Though the magistrate hath not power to silence altogether, yet he hath power to discharge the public exercise of their ministry; and again, when he thinketh fit, to grant that liberty unto them. *Ans.* (1.) Though this were granted, it will not help, in the case of the Indulgence, wherein was some far other thing, than a mere grant of freedom
for

for the public exercise of the ministry, as is seen above. (2.) *Illud tantum possumus, quod jure possumus* : We can be said to have power to do that only, which we have right to do. Now, I would enquire, how it can be proved, that the magistrate hath power granted of God, to discharge the messengers of Christ the free and public exercise of their ministry, directly, formally and immediately? (3.) The practice of the apostles tells us, that such commands are not lawful, nor to be obeyed; for they preached publicly, where occasion offered, notwithstanding of the prohibition of the magistrate. (4.) The magistrate's lawful power reacheth private places, as well as public places; as D. Voetius maintaineth against the Arminians: If he may hinder an heretic from preaching heresy publicly; so may he hinder him from doing it from house to house. And therefore, by the same argument that he may hinder public preaching, he may hinder the whole exercise of the ministry.

Obj. 3. Our second Book of Discipline, chap. x. granteth, that magistrates may place ministers, when the kirk is corrupted, and all things are out of order: And so it is now with us. *Ans.* Yet it is added in that same place, [That where the ministry of the kirk is once lawfully constitute, and they that are placed do their office faithfully, all godly princes and magistrates ought to hear and obey their voice, and reverence the Majesty of the Son of God, speaking in them.] And though our divines grant, that when the church is not constituted, or is wholly corrupted, godly magistrates, after the example of some godly kings of Judah, and divers godly emperors and kings also, in the light of the New Testament (as the words run in the place cited, in the second Book of Discipline) may do much more, than at other times: Yet I suppose, none, for shame, can make use of such a concession now; seeing our church was a constituted and well ordered church, and had all her rights and privileges ratified and confirmed by law; and all the magistrates of the land, from the highest to the lowest, were under solemn vows and covenants, to maintain her constitution and order: And what could be more desired, in order to the settling of a church? Whence then the confusion, that now is, we all know. And when the magistrates with their own hand overturn all, shall this objection be made use of, to countenance their after practices? That were indeed to teach magistrates a way, how to usurp and take to themselves all church power, *viz.* Let them

them once, by iniquity and tyranny. break the glorious order of the church, and bring all into confusion; and then forsooth they may warrantably assume to themselves and exercise all church power, according to their mind.

Obj. 4. Hezekiah did apply his regal power to the reformation of the Levites, and to the purging of the temple, 2 Chron. xxix. 5. and did also appoint the courses of the priests and Levites, every man, according to his service, 2 Chron. xxxi. So likewise did Josiah, 2 Chron. xxxv. *Ans.* Neither of these kings did destroy the order and beauty of the church, but reformed what their predecessors had corrupted. Neither of these did take away the just and legal power of the priests, (as our rulers have taken away presbyteries and their power) that they might exercise it themselves, as our rulers do immediately what presbyteries should do, in the matter of the Indulgence. Neither of these kings gave new instructions, out of their own heads, unto the priests and Levites, that they might thereby formally subject the exercise of the ecclesiastic power unto themselves; as our rulers have done. But beside what hath been said to this before, I shall only subjoin the answer of worthy Mr. G. Gillespie, in his *Aaron's Rod Blossoming*, p. 138, 139 [Hezekiah (saith he) in exhorting the Levites to sanctify themselves, and to cleanse the temple, doth require no other thing, than the law of God did require, Numb. viii. 6, 11, 15. and xviii. 32. which Hezekiah pointeth at, 2 Chron. xxix. 11. And why should not the magistrate command ministers to do the duties of their calling, according to the word of God? As for his appointing of the courses of the priests and Levites, he did nothing therein but what the Lord had commanded by his prophets, 2 Chron. xxix. 25. The like I answer concerning King Josiah; for it is recorded that what he did, was according to the writing of David and Solomon, 2 Chron. xxxv. 4. and according to the commandment of David and Asaph, and Heman and Jeduthun, the king's seer, ver. 15. as it is written in the book of Moses, ver. 12.] Thus he; and thus withal we see, how impertinent this is to the present purpose.

Obj. 5. But what can be said of such of the indulged, as were sent to their own charges? Several of the arguments adduced cannot strike against them. *Ans.* Though some of the arguments will not militate against them directly, yet the most part will. And further, let these things be considered, (x.) That it was a mere accidental thing that they

were

were sent to their own charges, *viz.* Because at that time they were vacant; and so, had they not been vacant, these ministers had been appointed and ordered either to go elsewhere, or not indulged at all. (2.) They were not barely permitted to go to their own charges, by rescinding the act of Glasgow, or taking off the sentence of banishment, by virtue of which they were put from the actual exercise of their ministry, in their own congregations, which might easily have been done, if the council had intended no actual invasion of the power of the church; nor had designed the subjection of the exercise of the ministry unto their own authority. But, (3.) They get the same immediate right to the exercise of their ministerial function, which others got, who were ordered to other places; and this right is nothing but the council's order and appointment. (4.) And thus, in a manner, their case is worse, than the case of such as were sent to new flocks; for upon the matter they did renounce their old right to the exercise of the ministry, in those congregations, where once they had been settled, according to the order of the gospel, and took a new right from the magistrate, and acted upon his order. (5.) And why may they not also repair to the presbyteries and synods, upon the council's order, as well as to these congregations, seeing they had a right formerly, to exerce the ministerial function in the one, as well as in the other; and the magistrate's discharge can no more invalidate the right to the one, than to the other?

Obj. 6. If it be a ground sufficient to reject the benefit of this Indulgence, because it is supposed to flow from the supremacy, then much more might we refuse to preach, if the magistrate should command it expressly by virtue of his supremacy: And if this be yielded, then it is manifest, that the magistrate, if he had a mind to banish all preaching out of his dominions, needeth use no other medium than only tell the ministers, that he commanded them to preach by virtue of his supremacy. *Ans.* (1.) We do not condemn the accepting of the Indulgence, upon a mere supposal that it floweth from the supremacy, having seen and manifested, what a real relation it hath thereunto, and dependence thereupon. (2.) Nor is its being a native result and proper effect of that iniquous, and usurped supremacy, the only ground whereupon we go, in condemning the acceptance thereof, there being many other heads of argument adduced against it, and such as prove it unlawful, as it was circumstantiate, though wholly

wholly abstracted from all consideration of the supremacy, yea, and though granted and enjoined by a church judicatory; and though the magistrate, in granting of it had expressly said, that he did not grant it by virtue of the supremacy. (3.) Yet I shall say further, that the command to preach simply, and without limitations, restrictions, or sinful conditions, cannot properly be said to flow from, nor to have such a dependence upon that usurped supremacy, as this Indulgence hath: For, to command ministers to do their duty, in preaching of the gospel, according to the command of God, belongeth to the power, which God hath granted to the magistrates; and so natively floweth from his office: But to set down limitations, restrictions and conditions, regulating the exercise of the ministry, doth not so flow; and when they are such, as are opposite to the rules of Christ, it must of necessity be by virtue of an usurped and abused power: Whence it is apparent, that this Indulgence, containing such limitations, restrictions and conditions, doth not, neither can natively flow from the office of a Christian magistrate, nor is an act of lawful magistratical power; as all will confess, who are not taught in Erastus's school. Therefore, though in the case of simple preaching, the injunction ushered in with an express mention of the supremacy, as its ground and rise, would be but a ridiculous scar-crow; yet in this other case (which is the case of the Indulgence) it would be an open spreading of the net in the sight of the bird, and more than a sufficient warning for wise men to beware. (4.) Though a command to preach, according to the rules of Christ, cannot be accounted to flow from this corrupt supremacy, even though the magistrate shall say so much, in plain terms; yet a command to preach in this place, and not in another place, and to preach so and so, according to such limitations, rules and prescriptions, and according to no other, (as it is in the case of the Indulgence) may be said to flow natively from the corrupt supremacy, even though the magistrate should say in express terms, that it did not; because it is done by an usurped power, *viz.* A power of judging ministers qualifications, of ministerially sending them, of regulating them in the exercise thereof, &c. all which belong properly to the power of church judicatories; not to mention the spoiling of the people of their power of free election. Therefore preaching, when simply commanded, cannot be condemned, even tho' the magistrate should affirm, that the command is given by
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virtue of his supremacy; when the accepting of the Indulgence cannot be justified, though in the granting of it no mention was made of the supremacy; much less, if this were expressly prefixed. (5.) The visible ends of magistrates giving forth of commands, which may be known by several circumstances, may do much to clear and determine Christians, to obey, or not obey, and so a command, materially the same, may in some cases be obeyed, in some cases not. So that, when the magistrate, manifesting his intention to root out the gospel, shall command all ministers, by virtue of an usurped supremacy, to preach the gospel, the material command may be obeyed, and yet the magistrate frustrated of his intentions: But when he commandeth a few, and only a few, by virtue of his supremacy, to preach here or there, as he pleaseth; and upon such and such terms, as he is pleased to prescribe, and under such and such limitations and restrictions, as he is pleased to enjoin, to the manifest hurt and detriment of the kingdom of Christ, he is to be disobeyed; and frustrated of his pernicious ends. Whence we see, how different the cases are. (6.) When the thing enjoined, and that expressly by virtue of the supremacy, is not only lawful, but necessary by virtue of a command of God, as is the simple preaching of the gospel; the prefixing of the express mention of the supremacy cannot alter the nature of the duty, nor be any ground of laying aside the duty so enjoined. But when the thing enjoined is not only not necessary, but, as circumstantiate, is not expedient nor lawful, then the expressing of the supremacy, as the ground of the command, is to be noticed, and may *ex superabundante* deter from obedience: Now this is the case of the Indulgence, as is cleared above. (7.) If that supposed command of preaching the gospel came forth to ministers, already settled in their ministry, the mention of the supremacy might be sufficiently delete, by a protestation or declaration of their preaching, and purposing to continue in preaching by virtue of Christ's supremacy; and silence as to this, I judge, would be dangerous: But if this command were given to such, who had been by violence ejected, and put from their work, and detained therefrom, until they should thus acknowledge the unlawful supremacy of the magistrate, I suppose there might be ground here for a demur.

Obj. 7. It seemeth then, you would not be for ministers returning to their own charges, if the magistrate should grant

such an order or permission? *Ans.* (1.) Either this order or permission would be granted with an express mentioning of the supremacy, as its ground, or not: If the supremacy be laid down as the ground, and nothing else in the circumstances be observable, to create a scruple; I judge it necessary, that even in that case a plain and positive protestation against that supremacy be given in, that it might appear, they would not so much as seem to homologate that sinful usurpation. (2.) If no mention were made of the supremacy, but only a simple permission granted to return each to their own charges; then this liberty would either be granted to all without exception of any, or only to some: If only to some, I must needs say, that as matters now stand, I should think it should not be accepted, even though freed of many other clogs; and that because, the wicked design of further dividing the honest party, should hereby be made manifest and obvious, contrary to our covenants; and hereby, though the persons themselves should be freed of trouble, and the particular congregations might receive some advantage, if withal freed of the curates; yet the public good of the church, which is preferable to any particular good, should be prejudged; and the rulers should be also confirmed in their usurpations and encroachments; which by all means should be guarded against. (3) If this liberty were granted to all, then it would either be granted with a confinement to these bounds, or without it: If the former were said, then the design would be obvious, to stop the free course of the gospel, and to prejudice other places of the land of the benefit thereof; (for though all the outed ministers, now in life, were restored to their former charges, many places would remain void of faithful pastors.) Now this should be guarded against, and the more carefully at this time, when by reason of the prevailing course of apostasy, so great a part of the land hath been drowned in ignorance, and led away with a prejudice against the work of God: For every minister of the church of Scotland is bound before God, to do what in him lieth to remedy this evil. If any should say, what can be more required of a minister, at any time, than to be faithful in his particular station; seeing he hath no oversight over the whole church, and he is not to carry as an apostle. I answer, Every minister hath a prior relation to the church universal, and a near relation to the particular national church, whereof he is a member; and this relation is antecedent to his relation to a particular flock, in order of nature.

nature. And as in a church well ordered and constituted, the edification of the whole requireth, that each minister be particularly fixed, in the ordinary exercise of his ministry, to a particular charge, with a capacity to officiate elsewhere, as providence calleth : But in a time of general corruption, the edification of the whole body requireth, that ministers (when few) be not restricted or limited to particular places, to the manifest and inevitable prejudice of the whole, or of the major part of the church. Seeing then Providence hath now loosed these ministers from the actual exercise of their ministry, in their respective parishes ; I think they are called to consider, how and on what terms they become fixed again ; especially to see that their fixing be not to the undeniable prejudice of the church national, and be not a virtual denying of their relation to the same. Further, by this confinement they should be out of all capacity to meet together for the exercise of discipline in presbyteries and synods, conform to our principles ; as also to ordain a succeeding ministry, and to provide for other vacant places, which this time calleth for ; as also they should be out of a capacity to help others at communions, according to our laudable custom, and to preach to such as are under foul murderers, and traitors to Christ and his interest in this day of defection. (4.) If it be without this confinement, then it will either be with some one or other of the prescriptions, rules, instructions, and conditions, with which the present Indulgence is clogged, or not : If it be, then the same reasons that militate against the present Indulgence, upon that account, will equally militate against this. (5.) If it should be free of all these entanglements and grounds of scrupling I leave it to Christian prudence to consider, whether, as matters now stand, the Lord be not rather calling them to preach his name on the mountains, seeing this way hath been so signally blessed of the Lord, and is daily more countenanced of him, than their labouring in their respective particular charges usually hath been ; and seeing it is undeniable, that the adversaries are not as yet really repenting of their opposition to the work of God ; and therefore, that any such permission (if granted) could not be supposed to flow from any love to the prosperous progress of the gospel ; but rather from the contrary, as is clear in the Indulgence already granted ; and to flow from a purpose to entangle and ensnare, yea, and endanger both,

soul and body ; if not from a purpose, or design to destroy all at once.

Obj. 8. The benefit of freedom and liberty of preaching the gospel, is so great, and the duty is so lawful and necessary, and of so great import to souls, that many things may be warrantably comported with, in order to the obtaining of it. *Ans.* I willingly grant the lawfulness and necessity of this important duty of preaching the gospel : But I see not the strength of this argument ; for the gospel was never in bonds, except by our timorousness and sinful relinquishing of duty, because of a supposed lion in the way. The gospel might still have been preached, with no greater inconvenience, than it was by the apostles and others in the primitive times, and possibly with much more success, than it hath been done by the Indulgence. And every one may see, that the Indulgence was granted by such, as did not design the gospel's advancement, but the imprisoning of the same rather with the preachers thereof, both by confining the persons indulged, and by hindering, so far as they could, the remarkable progress of the gospel, in the blessed assemblies, in fields and houses. This objection then can have no force, seeing the gospel was and might still have been preached, without this Indulgence, though it is true, with less ease, peace, and quietness to the preachers and hearers ; yet, I am sure, with more inward quietness of mind, and acceptance with God, and with more ground of hope of a rich blessing to follow their pains, as experience hath proven : Unless it be said, that the gospel should not have been preached, without freedom and liberty granted by the magistrate ; and if this be said, not only shall all those, who have preached at conventicles (as they are called) be condemned ; but even Christ himself and his apostles, who preached to few assemblies, but such as might have been called conventicles, shall be condemned also.

Obj. 9. The outed ministers having hitherto groaned under edicts, which they no otherways acknowledged, than by a submission purely passive, the present license, abstracted from its offensive circumstances, is such a relaxation, that if only limited to its rigid measures by casual impossibility, it would not be rejected. Wherefore unless it be proven, that the use making of this favour doth homologate with these exorbitancies, the rest is nothing material. *Ans.* The outed ministers groaning under, and no otherways acknowledging
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than by submission purely passive, such edicts, as respected their persons and estates firstly, and principally, can say nothing for an active submission unto such edicts, as more nearly relate to their office and function; or for acknowledgment of such edicts, as are made and emitted by such, as act from a principle of usurpation, and in order to the strengthening of themselves in the same; seeing the difference is vast betwixt an active and a passive submission; and an acknowledgment herein, by an active submission, contributeth to the iniquous ends, proposed by the supremacy, which is sufficiently confirmed by the magistrate's projecting, in this offer made and accepted, his further establishment in the usurpation. (2.) Hence we see, that this license, (as it is called) if not abstracted from its offensive circumstances, will be granted to be such a relaxation, that though limited to its rigid measures, even by a casual impossibility, could hardly be accepted: And though, in our imaginations, we may abstract actions from their offensive circumstances; yet in point of practice of moral actions, such abstractions cannot be made as will salve conscience; seeing it is confessed, that the morality of actions doth much depend upon circumstances. (3.) Though a license so abstracted, and limited to its rigid measures by a casual impossibility, may be accepted; yet a license, which cannot be abstracted from all its offensive circumstances, ought to be rejected. And though a relaxation, made rigid by casual impossibility, may be accepted; yet that will say nothing in our case, where no casual impossibility, but a moral transgression, cometh in consideration. A casual impossibility is such a restraint, as may quiet the conscience, if so be it be not caused or occasioned by our sin; but such hath no place here. (4.) How the accepting of the Indulgence doth homologate with these exorbitancies, hath been seen above.

Obj. 10. The rulers did not assign the ministers to particular charges by express deputation, but only appointed them to repair to the parishes designed, permitting and allowing them there to preach and exerce the other functions of the ministry. *Ans.* We saw above, that by the Indulgence, there was an express deputation, and a particular assignment, and a plain warrant and license granted. Hereby it would seem that none of these indulged do look upon themselves, as proper pastors of those places, and so can take no pastoral charge of them: And if so, they cannot be offended, if the people

people own them not as pastors, but go and hear others, according to conveniency, and look upon them, as such, as are allowed to preach by the magistrate, without molestation; but not as having any pastoral charge over them; and yet forsooth they must enjoy the maintenance of a lawful pastor: which things cannot well hang together.

Obj. 11. Though to yield to the magistrate, only appointing as in the act, would be a sinful compliance, in a settled enjoyment of our liberty; yet after the ruining overthrow, given to all the church's liberties, the acceptance of something, in effect a relaxation, however sinful upon the granter's part; yet on our part not burdened with sinful conditions, cannot be condemned; for the real opposition of things and determination of events set the periods, according to which, that, which in the beginning of an evil course, may be duty, in its prevailing and establishment, through change of circumstances, whereon its morality depends, may be impertinent.

Answ. (1.) Though I yield, that a change of events may, in some cases, call us to the use of other means, more effectual, as matters then stand, for gaining our point, or for keeping our rights: Yet to assert in general, that the determination of events setteth the periods to moral duties, seemeth to me dangerous, especially in our case, wherein the contest is not for our own rights, privileges, or advantages; but for the prerogatives of our Master's crown, and the just privileges of our mother, the church, wherein we have no liberty to come and go, as in our own particulars. (2.) It is then confessed, that the rulers, by this Indulgence, have made an encroachment upon the liberties of the church; and that to yield unto this appointment had been a sinful compliance formerly, when the church was in possession of her liberties, even tho' the appointment had not been so burdened with sinful conditions, as now: Hence we also see, that even this usurpation is inconsistent with the church's liberty, and that it is no maintenance of this to yield to the usurpation. (3.) Then it must be said, that all our former engagements, to maintain the prerogatives of Christ's crown, and the privileges of the church, are now so far annulled, by the overthrow given to both by the rulers, that we may freely comply with them in that, which formerly had been a betraying of all: This, I confess, would open a door to a large compliance. When a ruining overthrow was given to our civil rights and government, by an invading enemy, the very acceptance of what in effect

effect might have been accounted a relaxation, was by men accounted a treasonable compliance, and accordingly punished at the king's return; and shall we carry thus in sublunary things, which are both alterable in themselves, and under mens power; and yet be less zealous and more indifferent, in the matters of Christ, which as Christians we are obliged to own; and by the supervenient obligation of vows, oaths and covenants engaged to maintain, as well against Erastianists, as against papists, prelates and malignants? (4.) This assertion will condemn the zeal of our forefathers, as not being according to knowledge, nor morally good, according to the change of circumstances, and periods, set by the determination of events. Yea, if this be a fixed rule, that such a change of circumstances will make it impertinent, yea, and sinful for us to refuse to do that, which, while matters were entire, had been a sinful compliance; how much more will it make it impertinent and unlawful for us to endeavour a change? For if it alloweth a compliance, which in so far confirmeth the usurper in his unjust possession, after the ruining overthrow given, it will certainly not allow of any opposition. (5.) I grant, when a robber hath spoiled us, we may lawfully take part again, rather than lose all; or when an invader over-runne the land, and spoileth us of all our former privileges, we may receive some again, though when matters were entire, it had been a compliance to have done so: But that will not answer our case; because we have more power over our own particulars, than over Christ's matters: we may in some cases voluntarily give all our own away; but we cannot do so, in the matters of Christ, and of his church: And therefore, what at any time would be a sinful compliance, or an unlawful giving away of Christ's, and the church's rights, cannot be lawful, even after the enemy hath overthrown all. (6.) I grant likewise, that after an universal overthrow of the privileges of the church, we may lawfully accept of little, when more cannot be had; yet that little must be such, as was not unlawful, at any time, to be accepted of; and we must accept of it, in another manner, than could ever have been accounted a sinful compliance. (7.) Though what is said in the objection might have some weight, when that thing can be had no other way, than such, as would formerly have been accounted a compliance; yet it can have no weight, in the case of the Indulgence; because liberty to preach (which is here called a relaxation) may be had

had without this appointment of the rulers, and that with no less countenance and approbation of God : So that in the accepting of the Indulgence, there is a needless compliance with the usurper, and an unnecessary confirming of him in his wicked usurpations.

Obj. 12. That, which in the case of standing liberty, would be an insufferable imposition, and its refusal, duty, may, as it is from God, in the case of lost liberty, be looked upon, as a little reviving in our bondage, and embraced with a sinless submission ; and he, who thus humbly and sincerely layeth hold on it, may be very assured of the Lord's approbation therein. *Ans.* When a people have been following their duty, in defence of their lands and liberty, and are in providence broken by an enemy ; their posterity, or even they themselves, may willingly submit to, and lay hold on that, which formerly had been an insufferable imposition, and might have been justly refused ; but then they must have had no sinful hand, in the losing of their liberty, otherwise it shall be but a continued compliance ; and we must suppose, that they are now out of case to own and contend for their liberty. Which holdeth not, as to the Indulgence ; for as there was a sinful ceding at the first, in not resisting unto blood, striving against these usurpers, by protestations, declarations and other means called for, in the like case, whereby this acceptance becometh but a continued compliance, on the matter, in the same persons : So the manifold obligations we are under, bind unto a constant and perpetual contending for the prerogatives of our Prince, and the privileges of his church, against all the enemies thereof : And no case of lost liberty will warrant us, to submit, or accept of that, which formerly we were bound to have refused, and to have looked upon as an insufferable imposition. What may be said of the posterity, born and brought up under that loss of liberty, cannot advantage us in this generation, who when we can do no more, are obliged to transmit the controversy of Zion, and the cause, as *in foro contradictorio*, to the posterity ; that they may see the cause, though not prevalent, yet not quite sold and given up ; and so may serve themselves heirs to our contendings for the interest of our Lord. And for this cause, ought we to be tenacious of these rights, and do nothing that may strengthen our adversaries, and weaken our cause : and this, I suppose, would yield more peace, than the accepting of that, which is called a little reviving, but indeed is a weakening

ening both of the cause, and of our party. It is laudable constancy, in this case, not to yield or grant one hoof: But what pusillanimity, yea, and treachery will it be, by ceding and accepting of such supposed revivings, to put ourselves and our posterity out of all case to recover our liberty, and to bury with our own hands the very memory of the good old cause; for which our predecessors, and we sometime, have contended with zeal and earnestness; especially when we may have the same thing, which is called a reviving in our bondage, another way, with approbation of God, with less scandal to others, with more advantage to the cause, and less advantage to the enemy, though with more trouble and less quiet to ourselves?

Obj. 13. Though the magistrate's principal design, in this matter, be the establishment of his own supremacy: Yet the accepting of this favour cannot be so much as an interpretative yielding thereunto, as may be clear by this supposition, that the magistrate, without any change of principle or design, had ordered all ministers to their own churches. *Ans.* (1.) This being confessedly the magistrate's principal design; in granting this supposed favour, our acceptance cannot but be accounted by him a real contributing of all, that is required of us, thereunto; and as it was circumstantiated, could not but be, on our part, even because of what the magistrate did rationally account to be unto him, a virtual acknowledgment, and a real confirmation thereof. (2.) If the sending of the ministers to their own congregations, had been by a civil annulling of the former sentence of banishment, as it could not have flowed from the supremacy; so neither could it have contributed unto his usurpation: But if the sending of them to their own charges had been every way, after the manner of this Indulgence, it would not have altered the case to me; for as I said above, his re-entry to his former charge, after this manner, would have been a virtual annulling of the ground of his former call, and interest in that place, and over that people, and not a returning with full freedom and liberty.

Obj. 14. The magistrate proposing this Indulgence by way of command, not attending my pleasure, my obedience to the command cannot imply an engagement to the prescriptions annexed; nor doth the magistrate discover the least intention to oblige me thereunto by consent; nor is in this matter treating with us, expecting our formal consent for his security;

riety; and therefore I may accept the favour, without the prescriptions, there being no formal compact here. *Answ.* (1.) Though the Indulgence be propounded by way of command, the council thinking it below them to act otherwise; yet both the nature of the thing, and the concomitant acts, made of purpose, to limit, restrict and qualify the thing proposed, and to instruct and oblige the receiver, saith, that the accepting of the first doth virtually engage to the second, both making up one complex grant, or one Indulgence so qualified, limited and cautioned. (2.) Though the council did not call for any formal and express engagement from them, unto the performance of these injunctions; yet their carriage towards Mr. Blair, upon his positive renouncing of these injunctions, sheweth, that they meant these injunctions for conditions; and this also they expressly declared in their after proclamations and edicts, as we saw above. (3.) Who accepteth a favour, offered with its burdens, must accept it *cum onore*, howbeit the offerer, being a superior, doth not expressly require an explicate consent, but resteth satisfied with his own intimation: As when a father granteth to one of his children such a portion of land, and withal intimateth, that it is his will and pleasure, that he take on him the burden of so much debt; tho' the son be not required to express his consent to the conditions; yet his accepting of the benefit thus burdened, obligeth him to take on the debt: So here, because Mr. Blair did disown the conditions, though his formal consent was not required, he was denuded of the benefit; and therefore the rest took the benefit with its burden; and could not, while accepting the favour, account themselves free of the conditions, or not obliged to perform them, seeing in accepting the one, they accepted the other, both making up one complex business. Wherefore, though this Indulgence be given by magistrates, who love to act imperiously, and by way of edict; yet it being granted as a favour, the accepting of it, both as to the thing itself, and as to the sense and meaning of the granters, includeth a virtual engagement to the observation of the rules and conditions annexed.

Obj. 15. Although the magistrate had expressly prefaced his supremacy unto the grant of this license; yet a protestation on the acceptor's part against the same, would sufficiently have purged their use making of the favour, of all sinful concurrence. *Answ.* (1.) Though this were granted, (which yet cannot be) yet it cannot avail the accepters, who made no protestation. (2.) Though no mention was made of the
supremacy;

supremacy; yet the accepting was so foul, upon many other accounts, that no protestation against the supremacy, if mentioned, could have salved the matter, as we saw above; and their after acceptance would but contradict their protestation.

Obj. 16. Though the magistrate hath carried his supremacy above the highest, yet he never judged the power of order worth the assuming; so that the *allowing* to preach mentioned in the act, joined to *permitting*, and directed to none but to ministers, antecedently ordained, cannot be a just ground of scruple. If the magistrate had simply appointed every other minister to his own church, allowing him there to preach, to have offended at the word *allowing*, would have been an excessive niceness. *Answ.* Though the magistrate never judged the power of order (strictly so called) worth the assuming; yet it may be thought, that he judged that power worth the assuming, whereby the authority of the ministry, and the exercise thereof, should be looked upon as flowing, and as derived from him: And ministers were, I think, called to be careful and circumspect, lest by doing and accepting of any thing, they might interpretatively and virtually acknowledge and consent to this power. (2.) Though this *allowance* was granted to such, as had been ordained ministers before, yet the same, flowing from the supremacy, and being more than a mere *permission*, could not but import their deriving of a power to exercise the function, in such a place, from him; and so prove a most just and weighty ground of scruple. (3.) Nor will the supposition of his sending every minister to his church, wholly take away the scruple; for his simple annulling of the prior act at Glasgow, would have been sufficient for that end; but when, instead of this, he not only did say, he *permitted* them to preach again to their former flocks; but also that he *allowed* them, and that after he had invaded the throne of Christ, and assumed to himself the fountain of all church power; so that both as to the exercise of the ministry, and as to the exercise of it in such a place, they should depend on him, I think there should have some ground of scruple remained: For might it not be thought, that by their ready acceptance, without a previous, full, faithful, plain and public declaration and protestation, they had now derived their power from another head, than formerly, and stood now upon some other new ground? And in this case, I should think, that offending at the word, *allowing*, were the kindly work of a tender conscience, zealous for the

glory and interests of Christ, and careful of the credit of the ministry; and no excessive niceness.

Obj. 17. The ministers indulged do above all things own their Master's ordination, as the only proper foundation, whereupon the exercise of their ministry, by the permission of this license, doth subsist. All the regard they have to the magistrate's allowance, is, that they look upon it, as the removal, *de facto*, of his unjust restraints, hitherto invincible. And neither by form of acceptance, nor by engagement, do they in any sort acknowledge any of the magistrate's wrongs; but are ready by a plain declaration to purge themselves, even of the suspicion of a simple acquiescence. *Answ.* (1.) I shall willingly yield, that the persons concerned do own their ordination; yet we must distinguish the *intention of the work*, and the *intention of the worker*; though they may have no intention of invalidating their prior ordination, yet their accepting of the Indulgence may virtually include this; and so their practice may contradict their principles. (2.) Their Master's mission is only their proper, sure and solid foundation, whereupon the exercise of their ministry should subsist; but is it not manifest, that the accepting of the Indulgence doth virtually say, that as to the ministry they depend upon the allowance of men; yea, of those, who assume to themselves a headship over the church, and a fountain-power, from which this exercise must natively flow, and be derived. (3.) These restraints of preaching the gospel were not invincible physically, nor morally; neither were any such restraints, as such, formally removed, nor a pure *permission* granted. But the Indulgence contained an authoritative enjoining and warranting, as also a qualifying, restricting, and regulating the exercise of the ministry; and all this in prosecution and confirmation of an usurped supremacy; and this was a far other thing, than a removal *de facto* of a former restraint. Now their subjection unto this encroachment, testified by their accepting of the Indulgence, so conveyed, is much more, than the acceptance of the benefit of a bare permission: And all know, that they might have exercised their ministry, without this Indulgence, to the glory of God, the edification of the body, the confirmation of the principles of truth, concerning the ministry, the defeating of the corrupt Erastian designs of the injuriously encroaching magistrates, and to the offence and scandal of no person. (4.) Though they do not expressly and *in terminis* acknowledge any of these wrongs; yet,

yet, by their accepting of the Indulgence, so conveyed, as is said, they may virtually and upon the matter acknowledge this: and their plain declaration to purge themselves, will be but a contradiction to, and a condemnation of their own deed, because the imposer can only put a sense and gloss upon his own injunctions; and the granter of a warrant and favour, on the same; and in his sense it is, at least virtually, accepted by all, who accept of it, if plain dealing be owned; and I suppose ministers, while dealing with the council, should not walk upon fallacies, or mental reserves, or on what is equivalent.

Obj. 18. The accepting of the Indulgence did import no subjecting of the ministry to mens arbitrary disposal, but only a subjecting of the persons, or rather an acknowledgment, that the persons are already in subjection, which by our long silence and sufferings is too apparent: But if we have hitherto thus contentedly acknowledged this, to the restraint of our ministry, shall we now be so unhappy, as to wrangle about it, in prejudice of a relaxation? *Ans.* (1.) The act of Indulgence did not only mention ministers repairing to such or such places; but spoke likewise of the exercise of their ministry, which it allowed them, and for which prescribed several rules and injunctions, limiting and regulating them, in the same; and though this did comprehend a subjection of their persons also; yet it is by virtue of a prior subjection of their ministry, as being made liable to punishment for not observing the rules and injunctions prescribed. (2.) These sufferings indeed declared a subjection of their persons; but their silence shall be found (I fear) to have done more; and their former sin can be no ground to justify their present practice, in accepting of this Indulgence, which instead of being a relaxation, is a further wreathing of the yoke about our necks.

A vindication of such as scruple to hear and own the indulged.

CONSIDERING what is said above, both in the relation, and in the reasons against the accepting of the Indulgence, whereby the manifold iniquity thereof is manifested, it might seem wholly unnecessary and superfluous to vindicate such, as, beginning to discover the evil thereof, do scruple to look upon those, who are set over them by the council, as their ministers, set over them by the Holy Ghost; seeing it may rather seem strange, that any, who adhere to our former principles,

principles, are of another judgment; and that conscientious persons did not from the beginning withdraw from them: Yet for satisfaction to all (so far as is possible) the grounds of our vindication of such shall be proposed, in a few questions.

Only it would be premittid, in what sense we take the question; And therefore, (1.) I do not make this the question, Whether or not these indulged ministers, are true ministers of the gospel, or ought, in any case, to be acknowledged, and looked upon as such; for in order to our vindication of such, who withdraw from them, it is not necessary to assert this; for in order to the vindication of such as withdraw from the prelates curates, as we do not, so we use not to say, That they are not ministers, knowing that by saying this, we are engaged consequently to say, that all the children, whom they have baptized, are yet unbaptized; and that all their ministerial acts are null. Nor (2) shall I make this the question, Is it not simply unlawful to hear them? For in order to vindicate the withdrawers from the curates, we need not assert this, knowing that much more is required to make an action simply sinful, than to make it inexpedient, or unlawful; and if it were granted, that the hearing or owning of the indulged, as matters now stand, were unlawful, or inexpedient, the withdrawers would be sufficiently vindicated. Nor (3.) do I propose this question, Whether or not, they may lawfully be heard, at any time, or in any circumstances; as for example, if there were no other to be heard in all Scotland? For I judge, if no other were to be heard in all Scotland, except the prelates curates, many would not scruple to hear such of them, as were not openly flagitious and profane, or notoriously ignorant; who, as matters now stand, do, and that with approbation. (4.) I do not think, that such as are against this withdrawing, will say, that it is necessary, that these indulged be heard and countenanced, at all times and occasions; and that never, or in no case, such as are under them, may go and hear others, seeing this was always allowed and permitted in our best times.

But I shall simply propose the question thus: Whether may not people lawfully, as the case now standeth, withdraw from those indulged, whom the council hath set over them by the Indulgence; or are they to own them, and submit unto them, as over them in the Lord, and as set over them, to be their pastors and overseers, by the Holy Ghost; even when there are others, against whom such exceptions cannot be

be made, as against them, and whom the Lord doth own and countenance in a remarkable and wonderful manner, to be heard? Or, whether are such to be condemned, or approved and vindicated, who look upon themselves, as called of God to bear witness against all the sinful usurpations, manifest in the Indulgence, and the many evils, in the accepting of it, and in the now acting by virtue thereof, by withdrawing from such, that they may hear and countenance others, who preach upon Christ's call, and not according to man's order, but contrary thereto?

This being the question, one might think it strange, that there should be any necessity to vindicate such, as now withdraw, considering what is said above: Yet in order hereunto, I shall but, in a few words, propose these following questions, to the consideration of any, who are of another judgment in this matter. As,

1. Seeing by what is said under our first head of arguments, it is manifest, that the indulged, in and by the accepting of the Indulgence, have wronged our Lord Jesus Christ, who is only Head of the church, and King in Zion; and that in nine several particulars: (every one of which might be made use of, as a several argument, to our present purpose.) How can any blame such, as, out of tenderness to the royal prerogatives of Jesus Christ, scruple to own and hear them as formerly?

2. Seeing by the accepting of this Indulgence, the indulged have receded from our presbyterian principles, and wronged the interest and privileges of the church, which Christ, her only King, hath granted to her; and that in five several particulars (out of which particular arguments might be framed severally) as is clear by what is said under our 2^d head of arguments. How unreasonable is it to condemn such as, out of a tender care to adhere to their presbyterian principles, dare not own and hear such as formerly?

3. Seeing in ten particulars, mentioned under our 3^d head of arguments, it is made manifest, that the indulged, by accepting of the Indulgence, have, upon the matter, homologated the wicked supremacy in church affairs, whereby our Lord is virtually dethroned, and his church utterly robbed of her spiritual power and privileges: How can we condemn such, who, in detestation of that supremacy, and usurped power, withdraw from them?

4. Seeing by our principles, the free election and call of
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the people, giveth ground to the relation that a pastor hath to a flock, as his charge, and is the way how the Holy Ghost setteth men over flocks in ordinary: How can these be obliged to own such for their pastors, whom they never called, nor had freedom freely to elect and call? And this is the case of not a few, yea in reality the case of all, who had others, than such, as had been their pastors before, set over them; for as for that image of a call, we have said enough above, and particularly under our 4th head of arguments, to shew that it was of no force, and imported rather a prostituting of that ordinance and institution to be subservient to the corrupt designs of men, than favoured of true tenderness unto the ordinance of Christ, which should have led the way, in an orderly settlement, and not have been trailed at the heels of the council's order, with which in all common sense, it was incompatible, except by way of acknowledging and homologating the council's usurpation.

5. Seeing as is clear from the seven particulars, mentioned under our 5th head of arguments, the indulged, in their accepting of the Indulgence, have fortified and established Erastianism, and Erastian tenets; how shall we condemn such as withdraw from them, and rather hear and own such as adhere by their practice to former principles?

6. When we consider the twelve particulars mentioned under our 6th head of arguments, (several of which might be here made use of, as distinct arguments, if we designed not brevity) whereby it was made manifest, how the indulged, in accepting of the Indulgence, have acted to the great prejudice of the church; how can we imagine, that such are to be condemned, who withdraw from them, and countenance such, as are seeking and promoting its good, in the way, countenanced and approved of God?

7. If we impartially consider the twelve particulars, mentioned under our 7th head of arguments, (several of which also might be adduced here, as distinct arguments) whereby it appeared, how these indulged, in their accepting of the Indulgence, have wronged our cause, and departed from the grounds, upon which our church is suffering; we will see cause of approving such, as withdraw from them, as matters now stand.

8. Seeing by what is said, it is manifest, that the entry of the indulged unto their present places and stations, is not consonant, but repugnant to our former doctrine, principles
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and practices, owned since the reformation, and confirmed by our oaths, vows, covenants and solemn engagements; besides the testimonies given thereunto by the sufferings of our predecessors, and by our own sufferings; can we blame and condemn such, who dare not own them, as lawfully entered into these places?

9. Seeing the indulged have, by the accepting of the Indulgence, and acting by virtue thereof, in so far, departed from former principles and practices; and a difference ought to be put betwixt them and other ministers, who, through grace, have hitherto been preserved from stepping aside; whether to prelacy, or to Erastianism, in their practices; who can condemn such as withdraw from the one, and adhere to the other?

10. Is there not a great difference betwixt the ground, whereupon the indulged do presently exercise their ministry; and the ground whereupon formerly, before they embraced the Indulgence, they did, and others to this day do, exercise it? Or shall we say, that it is all one; whether ministers have the ministerial protestative mission unto such or such places; over which they are set, from presbyteries, authorized thereunto by Christ, which sometimes they had; or have it from the magistrate, noways thereunto authorized by Christ, as now they have it only? And if there be a difference, how can any condemn those who cannot now own them as they did formerly?

11. Seeing the difference betwixt these two ways mentioned, is great, and seeing they cannot be compounded in one, nor lawfully made subordinate, the one to the other, is it not undeniable, that these indulged, betaking themselves now to the magistrate's mission, as they have done, have upon the matter, renounced their former mission, which they had from presbyteries, acting ministerially under Christ? And if so, can people be condemned who do not, nor cannot, own and countenance them, as formerly they did?

12. It being apparent from what is said above, on several occasions, that, as the indulged did deliberately shun to say, that they had their ministry only of Christ, so they do now act and exercise the same, as receiving it not alone from Christ, by the ministerial conveyance of the power and authority to exercise it, which Christ hath ordained; but either as receiving it from the magistrate alone, (and if so, they cannot be looked upon as Christ's servants, but as the magistrate's servants;)

or from Christ and the magistrate, as collateral heads and fountains of church power; (but thus to speak were blasphemy;) or from the magistrate, as directly subordinate to Christ; (which is the ground of all Arminian Erastianism.) How can men be accounted transgressors, who in conscience cannot own them, as formerly they did, when they acted and exercised their ministry, as receiving it alone from Christ, by the ministerial conveyance of the power and authority thereto, through the hands of his servants thereunto appointed?

13. Is there no difference to be put betwixt such as exercise the ministry in subordination unto, and in a dependence upon the council, as being their curates, and as accountable to them; and others, who, as they are subordinate unto, so they own their dependence only upon Christ, in the way he hath prescribed, receiving instructions only from him, in his appointed way, to regulate them in the exercise of their ministry, and hold themselves accountable only to him, in that way? And seeing it is manifest, that there is a very great difference, who can condemn such as withdraw from the indulged, who have their instructions, to regulate them in the exercise of the ministry, from the council, (as was manifested above) as accountable only to them, and to such as they are directly subordinate unto; that is, the king; and not from Christ Jesus, as only Head of the kirk?

14. Seeing by receiving the Indulgence, with their instructions, &c. the indulged do, upon the matter, recognise a supreme head-power over the church, and church affairs, in the magistrates, to the denying of Christ's sole Headship, and dethroning of him (as hath been, on several occasions, cleared above;) how can such be condemned, who scruple to own them, in that case, or to countenance them, while they act so?

15. Seeing the indulged, being set over the people, specially designed and appointed them by the council's order, and not in the way appointed by Christ, cannot be said to be set over these people, as their overseers, by the Holy Ghost; (as hath been evidenced above;) how can such be blamed, who cannot own them, as their overseers, and as made overseers to them by the Holy Ghost?

16. Seeing we have made it manifest above, that the entry of the indulged hath a manifold relation unto the usurped supremacy, in church affairs; and that, as it floweth therefrom, is secured thereby, and dependeth in its legal being thereupon

thereupon, as its charter; so it contributeth to the strengthening, securing and encouraging of the usurpation, and seeing this supremacy and sacrilegious usurpation of the prerogatives royal of our Lord Jesus, and subversion of the rights and privileges of the church, is the top-point of all our defection, and the centre, into which all the lines of our apostasy concur and agree; can any, who would not join in this defection, and have a proportionable part of the guilt charged upon them, give countenance and approbation unto those indulged, whose entry is so near a kin unto that supremacy? Or can any, who desire to be free of all compliance with this abominable evil, carry towards those, who are now set over them by virtue of the supremacy, as formerly?

17. The supremacy now regnant, and the grand national sin, being such an evil, as all, that would be kept free of the plagues, that the same will bring upon the land, must, in their places and stations, bear witness against the same; and seeing common people have no other way patent or practicable for them, to give this plain and honest testimony against this hainous usurpation, in any public manner, but by withdrawing from such, as are set over them by virtue of this usurped power; can those be condemned, who, out of conscience of their duty, zeal to Christ's prerogatives, care to keep their garments unspotted with public regnant evils; and out of a desire to mind their duty, in this day of so general a defection, do withdraw from the indulged, in order to the giving of this public testimony, in their place and station?

18. Seeing by the particulars, mentioned under our 8th head of arguments, it is manifest, that the accepters of this Indulgence have thereby contributed to the strengthening of the hands of prelates and prelacy, which all are obliged, by their covenants, to endeavour; in their places and stations, to extirpate; how can such be condemned, who withdraw from them, while standing thus in a contributing posture?

19. As upon the one hand, the disowning of the curates is a disowning of the prelates and their power; and a countenancing of them by hearing them, and submitting to their ministry is accounted by all (as indeed it is) a countenancing of prelacy; is not also, upon the other hand, an owning of the indulged, and a submitting to them and their ministry, a submitting to the supremacy; seeing (as is above cleared and confirmed) the curates (at least such as were ordained ministers before the re-establishment of prelacy, and have submit-

ted thereto) do no more depend upon prelacy, as to the present exercise of their ministry, than the indulged do depend upon the supremacy, or on the rulers, acting by virtue of the supremacy?

20. Seeing the act of Glasgow, banishing ministers from their own charges, cannot dissolve the relation, that was betwixt the ministers and their flocks; how can such as stand still related unto their former pastors, (which is the case of some) accept of others, set over them by the council, and not withal homologate the council's deed, and declare the former relation utterly dissolved?

21. Seeing the indulged, in accepting of the Indulgence, have in several particulars violated our covenant obligations (as was shown in the 9th head of arguments,) can any be blamed for withdrawing from those, who have so entered, in this day, when God is about to plead with the land, for a broken covenant?

22. If all be obliged to resist and withstand Erastianism, by the solemn engagement to duties; what less can be expected of common people, in their private stations, in order to an answerable walking unto this engagement, than a withdrawing from such as are set over them by a power purely Erastian? And can such be thought to mind their engagement in this particular, who willingly comply with the Erastian command and injunction, and accept of such as are set over them by an Erastian order?

23. Seeing the indulged, in accepting of the Indulgence, have receded from our principles, and wronged our cause (as is undeniable by the twelve particulars, mentioned under our 7th head of arguments,) can they be justly condemned, who now withdraw from them?

24. Seeing by accepting of the Indulgence, the indulged have highly prejudged the good of our church (as is manifest from the twelve particulars, mentioned under our 6th head of arguments,) how can such be condemned, who refuse to countenance them, while thus stated in and by the Indulgence?

25. Seeing, as was cleared above, the Indulgence was devised of purpose to annul all field and house meetings; and seeing it cannot be denied, that these field and house meetings, being so eminently countenanced of the Lord, are also to be countenanced of men; can any say, that they, over whom the indulged are set by the council, are not obliged to withdraw from them; and not withal say, that they are not obliged

obliged to wait upon these blessed meetings, though thereby the minister and other people, should be much discouraged? And would not this be a manifest homologating and concurring with the council, in carrying on of this wicked design? And how can such be condemned, who withdraw from them, who have, in accepting of the Indulgence, acted so prejudicially unto these blessed meetings, as is evidenced in our 11th head of arguments?

26. Seeing it is undeniable, and daily experience doth confirm it, that an admirably rich blessing attendeth the labours of such, as preach contrary to man's law, upon Christ's sole warrant and allowance; what cruelty to souls were it to say, that they, who have none to preach to them, but such as the council (none of the best discerners of ministerial gifts, nor endowed with power from Christ for that end, to try the qualifications of ministers) hath set over them, must not withdraw from these, to seek their food, where God is giving it largely, and is thereby encouraging and inviting all to come? We would, doubtless, think this hard dealing, were we, as to our temporal food, to be kept at a set sober diet, wherein we found little nourishment, and restrained from going to fattening and strengthening feasts. If it be said, that it is the peoples fault, that they grow not more under the preaching of such as are set over them, I need not contradict it, for strengthening of my argument; but only say, if the blessing be withheld at home, though justly, because of sin, let the people go where they may find the blessing of God's free grace, notwithstanding of their provocations, as others have found it: Let them go, I say, where free grace may prevent them. Nay, I think the indulged themselves, upon this very account, if they desire (as I would hope they do) the spiritual edification of the people, should beseech and obtest all their people, to go unto these richly blessed conventicles; and desire these conventiclors to come and choose the most convenient place, in all their bounds, for a field meeting, that their people might partake of the good thereof; and this course (if it had been taken) would have, I think, endeared them more unto all that feared God; and had (no doubt) prevented much of this animosity that is, as I apprehend, betwixt them and the field preachers; for it would have defeated the design of the council, and have contributed to the carrying on of the work of the Lord.

27. Seeing all persons stand obliged by their covenants, to
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maintain the prerogatives of Christ's crown, the rights of the church, and presbyterial government; how can they, who would make conscience of the said covenants, own such as are set over them, not according to the principles of presbyterian government, nor in compliance with the prerogatives of Christ, nor so as the rights of the church are so much as pretended to be observed, but in a way rather repugnant unto all these, as hath been manifested above?

28. Seeing many of these indulged have a relation to their own flocks, from which they were thrust by violence; and it will not be said, that what the rulers did, in that matter, did utterly annul their relation; How can they be related as pastors to these congregations, over which they are set by the council? We do not acknowledge or justify pluralities. And if they have not the relation of pastors unto these new charges, people are not bound to carry, as their flock; and so may lawfully withdraw, and hear others, as well as them.

29. Seeing it is manifest from what is said, that the indulged, by accepting of the Indulgence, have, upon the matter, condemned all the wrestlings of the church of Scotland, from the very beginning of our reformation, against the E-rastian usurpations and encroachments of king and court, in the days of King James, who yet, in the height of his usurpations, and arrogate supremacy, never did what the council did, in the matter of the Indulgence; he never took upon him, to plant and transplant ministers by himself, or by his council immediately and only; yea, and have condemned all their sufferings to bonds, banishment and blood, for the privileges of the church, and the crown rights of Christ, the only King in Zion; how can people be pressed or urged to look on such, as their lawfully settled ministers, and be condemned for withdrawing? Must not the compliers with them in this, be guilty of the same sin of spitting in the faces of all our ancient witnesses; and saying, their sufferings were for trifles? Do not they, who do more, than ever these were tempted to do, and that without the least hesitation, say, that these suffered as fools?

30. Seeing the entry of the indulged by the council's order is such, as hath not a parallel in all the Christian world, for any thing I know; for, no where shall we find ministers planted in particular charges, and transplanted from one to another, immediately by the magistrate: Yea, I doubt, if ministers were thus placed, in the Palatinate, (now laid waste
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and desolate, in the righteous judgment of God,) where the hemlock of Erastianism first grew up; can any blame the reformed professors of the church of Scotland, where that weed hath been cast over the hedge, with a solemn vow and covenant, never to own it again, in resenting this manner of entry, by withdrawing from those, that are set over them, in such a singular and shameful manner?

31. Do we not make use of this argument against the prelates, that they are chosen, named and deputed solely by the king, notwithstanding of that mock election, made by the chapter of the see, which must fall upon the person, nominated by the king, or be null? But where is the strength of it now, when we admit of lesser bishops, immediately nominated, deputed, and impowered by the council, notwithstanding of that mock call by the people, and election of the same singular person, which was said somewhere to be had?

32. How can any blame such, as withdraw from those, who, by entering in at the door of the Indulgence, have made way for the wreathing of a yoke upon the necks of the ministry of Scotland, in all time coming, to the utter subversion of all ministerial liberty, and of the freedom and privilege of the church: For, if hereafter no man shall be settled in a church but by the king and his council immediately, and every minister shall be wholly at the disposal of the king and council, to be planted, or transplanted, as they please, where were we? And where should our church liberties then be? And whom had we to thank for breaking the ice?

33. If the parliament, that carried on the engagement, *an.* 1648, had thrust out a number of the ministers, and thereafter their committee had planted them elsewhere, up and down the land, as they pleased; I would ask such as were ministers, in those days, and were against the engagement, or were members of the assembly 1649, how such ministers, as willingly would have obeyed the orders of the committee of estates, and gone thither, where they were ordered to remain, had been looked upon, when the engagement to duties was drawn up? And whether or not lesser faults in ministers, were not punished with simple deposition? If then such a fault as this, had been so abominable then, shall it be so lovely now, that none may discountenance or withdraw from such persons. as have carried so, at this time?

34. Is it not strange, that people shall not have liberty to withdraw from those, who by their way of entry, and carri-

age before the council, have given such open and manifest scandal unto the church of God, and unto strangers, unto foes and friends, at home and abroad, to the rulers, to the prelates and their curates, to good and bad ; yea, unto all the churches of Christ ; and have laid such a stumbling-block before all the posterity ; as is manifested above, in the 12th head of arguments ?

35. When poor people, who have been hitherto in the dark, as to the evils of this Indulgence, both as to its ground, rise, conveyance, tendency, and designed end, begin now to get their eyes opened, and to see its connexion with, dependence upon, and confirmation of the fearful usurpation of the supremacy ; what a grief of heart is it to hear persons pleading against their withdrawing from such, when they see where they are, and how they cannot countenance such, and be free of all accession to the sinful strengthening and confirming of the encroachments already made, and to the encouraging unto a further progress unto the same evil ?

36. When there is such a combination for upholding of this evil of the Indulgence, and several (as is reported) banding or covenanting together, to keep the Indulgence in credit, or at least, not to speak against it ; how can such, as are convinced of the dreadful evil thereof, not think themselves called of God, to do their best against it ? And how can any be urged to hear and countenance them, who are indulged, when the controversy is thus stated and prosecuted, without being also urged to approve of the Indulgence, contrary to their light ?

37. Seeing the indulged, by their accepting of this Indulgence, did fall from their former zeal and steadfastness, in choosing suffering rather than sin, and have, upon the matter, condemned what formerly they approved of, and have approved that, which formerly they condemned, as we saw above, in the six particulars, mentioned and explained in our 10th head of arguments, how can those be now condemned, who cannot own them as they did formerly ?

38. Do we not say, that countenancing and hearing of the curates is a homologating and a virtual approving of their sinful way of entry ? And shall not now, the countenancing and hearing of the curates, be a homologating and a virtual approving of their sinful way of entry ? How then can such be condemned, who, out of a desire to be kept free of this sin, dare not countenance or hear them as formerly ?

39. I would gladly know one argument that can be made use of to condemn now, as matters stand, withdrawing from and refusing to hear the indulged, that either hath not been, or may not yet be, with equal force, made use of, to prove it unlawful to withdraw from, and to refuse to hear the established curates? And seeing now none dare condemn such as withdraw from the curates; why shall these be condemned who withdraw from the indulged?

40. When the question is now so stated, by and among the people, as that countenancing and hearing of the indulged, is looked upon, as an approving of the Indulgence itself, the people not knowing the use and practice of metaphysical distinctions; how can such be urged to hear and countenance them, who, by so doing, must look upon themselves, as approving what otherwise they condemn, contrary to Rom. xiv. 22, 23?

Many more arguments may be gathered out of the several particulars, we mentioned above, under the several heads of arguments; but we shall satisfy ourselves with these, at present, leaving the understanding reader to make his own use of the rest, that are not made use of here.

For further satisfaction, in this matter, to such as would have formal arguments, I shall only say, That by what arguments, principally, we vindicate the people's withdrawing from the curates, by the same, *mutatis mutandis*, by changing or adding such words, as must be changed or added, we shall be able to vindicate the people's withdrawing from the indulged. I saw lately a *Vindication of the persecuted minister and professors in Scotland*, written by a faithful minister of Christ, now in glory; and found that the chief of these arguments, whereof he made use, to vindicate the people's withdrawing from the curates were applicable to the question now under debate, concerning the hearing or withdrawing from the indulged, as I shall make appear by these instances.

His first argument, p. 75. was this. They who have no just authority, nor right to officiate fixedly, in this church, as the proper pastors of it, ought not to be received, but withdrawn from. But the prelates and their adherents the curates (add, for our case, the indulged) have no just authority or right to officiate in this church, as her proper pastors. Therefore they ought not to be received, but withdrawn from. All the debate is about the *minor*, which he thus maketh good.

They who have entered into, and do officiate fixedly in this church, without her authority and consent, have no just authority or right so to do. But the prelates and their curates (add, the indulged) have entered into this church, and do officiate therein, without her authority and consent. Therefore they have no just authority. The first proposition (saith he, and we with him) is clear; and we suppose, will not be gainsaid by our antagonists; seeing the power of mission, of calling and of sending of ordinary fixed pastors, is only in the church, and not in any other, as all divines do assert. The second is evident from matters of fact; for there was no church judicatory called, or convoked, for bringing of prelates into the church; (add, nor for *settling of the indulged over their respective charges*) all was done immediately by the king and acts of parliament (add, *acts of the council*) without the church. A practice wanting a precedent in this, and (for any thing we know) in all other churches.

He proposeth an objection in behalf of the curates, *p. 78.* which I know the indulged will use for themselves, *viz. They have entered by the church.* And his answer will serve us, which is this. This we deny. The contrary is clear, from constant practice; for the curates (add, the indulged) came in upon congregations, only by the bishop and patron (add, in our case, *only by the council and patron*) who are not the church, nor have any power from her, for what they do, in this: All their right and power is founded upon, and derived from the supremacy, and acts of parliament, and not from the church; in which the bishop (add, the council) acts as the king's delegate and substitute, only impowered thereto by his law (add, letter); so that the curates (add, the indulged) having and deriving all their power from the prelates (add, the council) cannot have the same from the church; none gives what he hath not. But, 2. The prelates (add, the council) not being the lawful governing church, any that enter congregations by them, cannot be said to enter by the church. Read the rest therē.

His second argument is proposed, *p. 79, 80.* thus. Those that receive and derive their church power from, and are subordinate, in its exercise, to another head than Christ Jesus, should not be received and subjected to, as the ministers of Christ, in his church. But the prelates and their curates (add, the indulged) do receive and derive their church power from, and are subordinate, in its exercise, to another head
than

than Christ Jesus. Therefore they ought not to be received, &c. The first proposition will not be denied: He proveth the second thus. Those officers in the church, professing themselves such, that derive their church power from, and are subordinate, in its exercise, to a power truly architectonic and supreme in the church, beside Christ, do derive their power from, and are subordinate, in its exercise, to another head than Christ Jesus. But so it is, that prelates and their curates (add, the indulged) do derive their church power from, and are subordinate, in its exercise, to a power truly architectonic and supreme in the church, beside Christ. Therefore, &c. The major is evident; for whoever hath a supreme architectonic power in and over the church, must be a head to the same, and the fountain of all church power. The minor is clear from the *act of restitution* (add, the *act explicatory of the supremacy*.)

His third argument, *p. 8.* is long: I shall cut it short thus, that it may serve our case. If churches required by law (or act of council) to submit to prelates, and to their curates (or, to the indulged) thus thrust in upon them, had their own pastors, set over them, conform to God's word; then it is no sinful separation, for churches, in adhering to their ministers, not to receive, or submit to the prelates and their curates (or, to the indulged.) But the former is true. Therefore, &c. The truth of the major is founded on this, that the obligation betwixt pastor and people standeth, notwithstanding of the magistrate's act. And the minor is true, (I suppose) as some churches, over which the indulged were placed by the council.

His fourth argument, *p. 90.* will serve us; it is thus. The way of the curates (indulged) entering into congregations, puts a bar on our subjection to them, that we dare not to own them, for the lawful pastors of the church; for as their entry is without the church, and the way that Christ hath settled in his house for that end; so they have come in on congregations, in ways, which we judge corrupt, and without all warrant from the word of God, and the practice of the primitive times. In the search of scripture and pure antiquity, we find, that ordination (add, and protestative mission) by ministers, the election and call of the people, was the way, by which ministers entered into congregations, and not the institution and collation of the bishop (add, *nor the warrant and allowance of the magistrate*) nor the presenta-

tion of patrons. He addeth, 1. This way of their entry by the bishop's institution and collation (add, the *council's warrant and order*) doth suppose that their ordination (add, *potestative mission*) doth not sufficiently impower them to the exercise of the ministry, (add, *in that particular charge*) without a further license, which is contrary to the end of ordination, and the nature of the ministerial power, that by virtue of its ends, and the command of Christ, doth bind the person, invested therewith, to its exercise, &c. 2. The patron's presentation, as it takes away the people's right of election, so it suppones ordination to give no right to the maintenance, or at least suspends it, &c.

His fifth argument is, *p.* 91. thus framed, and may serve us, as to some. Many congregations, into which the curates (add, the indulged) are entered, are under a standing obligation to their former pastors; not only on the account of the pastoral relation betwixt them, but for the engagements they came under to such, in their call and reception of them; which is not dissolved by any thing we have yet seen: Sure we are, the magistrate cannot do it, &c. I hope, I need not, in reference to the indulged, mention what followeth, in answering of the objection, taken from Solomon's removing of Abiathar.

His sixth argument, *p.* 94. is this: If congregations have a just right and power of electing and calling of their ministers; then those that come in upon them without this, are not to be esteemed their pastors, nor to be subjected to, as such, by congregations, but to be withdrawn from. But here it is so, &c.

His seventh argument, *p.* 95. is this: Hearing of, submitting to, and receiving of ordinances from the curates alone (add, the indulged) and not from others, as is enjoined by law, and required, as the sign of our compliance with and submitting to the present laws, bringing in and establishing of prelacy (add, *Erastianism and the supremacy*) and other corruptions, which we dare not own. Hearing and receiving ordinances from such, hath a twofold bar put upon it to us; an unqualified instrument or object; and the respect that by the law it is made to have to the corruptions obtruded upon this church, as the sign of our compliance with and subjection to these. The command of God about hearing doth constitute the object and instrument (what and whom) we should hear: As we are not to hear all doctrines,
but

but these that are sound, so we are not to hear and receive all that pretend to come in Christ's name, but those of whose mission we have some rational evidence, at least, against which we have no just exceptions. This, as to the curates, (add, the indulged) is made out by the former arguments. But beside this, the sign appointed and determined by law, and required of all in this church, is, that they not only withdraw from, and do not hear the ejected and non-conform ministers; but that they hear and submit to ministers, that comply with, and enter into this church, by prelates (add, or by the council) which to us maketh hearing, and receiving of ordinances from them, a practical approbation of, and compliance with prelacy (add, Erastianism and the supremacy) and other corruptions contained in the law, for such is the connexion betwixt the sign and the thing signified, that he that yields to give the sign, doth, in all rational construction, approve the thing signified.

These are his principal arguments, used in defence of such as cannot go to hear, and subject to the curates; and whether they will not as forcibly conclude against hearing of and subjecting to the indulged, the reader is free to judge.

Objections answered.

IF any should object, whether in behalf of the curates, or in behalf of the indulged, That they are ministers of the gospel, and therefore are to be heard, and ordinances should be received from them; for the ministerial power giveth to the persons, invested therewith, not only a right to preach the word, and dispense ordinances, and maketh their acts valid; but it binds them to the doing of those, and all others to submit to them, in the exercise of their power; as is apparent in all relations, and the mutual duties, that the persons under them owe to one another: So that if ministers be bound to preach the gospel, and dispense its ordinances, the people must likewise be obliged to hear, and receive ordinances from them. To this objection he answereth, (and we with him, as to the case now in question) denying the consequence: For, (1.) The true state of the question is, whether we should receive and submit to them, as the lawfully called and appropriate pastors of this church; which for the former reasons we deny; for although intruders upon the church be ministers; yet their intrusion puts a sufficient bar on peoples reception

ception of and submission to them: wherefore in so far as hearing and receiving of ordinances from prelatical ministers (add, indulged) is, in our case, an acknowledgment of this, we refuse it. (2.) Peoples obligation to submission to ministers, doth not immediately flow from the being of the ministerial power and authority, in those clothed therewith, there are beside this, other things that must concur, to the causing of this obligation, which, if they be wanting, will make it void, or, at least, suspend it, &c.

If it be further objected, in favours of the indulged, that eminent and worthy Mr. Livingstoun, though he saith much against the Indulgence, in his letter to his parishioners; yet he adviseth them sometime to hear Mr. John Scot, who was indulged. I answer, I shall readily grant, that several were in the dark, at the first, in the matter, either through want of full information concerning many circumstances, which, if known, would have given greater light in the matter; or through ignorance of the real design of the rulers, which afterward came more and more to light; or through a fear that field meetings should either cease, or be utterly suppressed; and therefore judged it more safe for people to hear the indulged, than either to hear none, or none but the curates. And though I do not certainly know, which of these grounds moved that eminent seer and servant of Christ, to advise so; yet, considering that in all that letter (to my remembrance) he doth not speak of their going to the field meetings (which I suppose none, that knew him, will think that he was an enemy unto,) I am apt to think, that the apprehension he had of the ceasing of the field meetings, at least, in that part of the country (in which, I doubt there had been any, or many, at least, before his writing of that letter) did move him, to advise them sometimes to hear that indulged person, as judging that better, than that they should hear none, or none but that wretch, who was obtruded upon them; and as supposing he would not pervert them by his doctrine, but would give free and faithful testimonies unto the truth, and against all public corruptions. Further, I suppose, it is well enough known, that at the first, not a few ministers were in the dark, as to the question of hearing of the curates, and upon one ground or other, did not perceive, that people were called of God to withdraw from the obtruded hirelings, and so durst not positively advise thereunto; who now, I hope, will be as loath to advise people to forsake other occasions, and go hear the curates.

fates. And what wonder if the matter was so, as to the indulged, seven or eight years ago?

Obj. 3. But, till of late, that some few inconsiderate persons, took this in their heads, to preach against the Indulgence, and to cry out against the unlawfulness of hearing of the indulged, as if that had been the only thing necessary; for which many even of the non-indulged are offended with them, there was not so much as a mutter heard, but people heard the indulged without scruple, and were edified by their ministry. *Ans.* The curates might alledge the same, as well as the indulged; but, as it would not help them, so I suppose, it cannot well help the indulged. Whether these persons be considerate or inconsiderate, I am not fit to judge; to their own Master they stand, or fall; only I wish, that such who call them inconsiderate, would examine their grounds, and remember that, *judge not lest ye be judged*, &c. If this be founded upon some expressions of theirs (whether true or false, I know not) I wish that the expressions of others gave not ground for the same judgment. I know, not a few are offended with them; but considering what is said above, concerning the sinfulness of the Indulgence, &c. I dare not be offended with them; (and I would fain hope, that second thoughts of the matter shall work a change on these brethren) but must rather bless the Lord on their behalf, and judge them worthy of praise, who, over the belly of so many discouragements, did set the trumpet to their mouth, to shew Scotland, and the ministry, and people thereof, that great sin: and this, I know, is consistent with their insisting upon the one thing necessary; which I hope also their practice declar-eth, and the fruits of their labour proclaim. But as to the long silence that hath been, I shall say little; yet it is known, that at the very beginning, people were calling the indulged the council's curates; and how it came, that this spark did not break forth into a general flame, I shall not enquire; acquiescing in this, that the Lord had a further discovery to make: For, had the first ten, who were indulged, been thus discountenanced we had seen no more accepting of that supposed favour; yea, the first accepters had quickly shaken that onerous favour off their shoulders. It may be also, that some suppressed their judgment, concerning the not hearing of these indulged, or did not countenance any such motion, when made, either out of a preposterous affection and tenderness to the brethren, whom they honoured and much esteemed,

steemed, and that deservedly, for their eminent endowments, and sometimes usefulness unto the church; or out of a tender care of keeping up of union, and guarding against all motions apparently tending to troublesome distractions and divisions, or upon some other account, best known to themselves. Neither is it unlike, that many were really in the dark, as to the thing: But however, light is light, whoever they be that bring it to us; and as God may employ whom he will, to this end; so, how inconsiderable soever the instruments be, who are employed, and whether they come sooner or later, the light, when it is come, should be welcomed, because of him, that sent it; yea, and embraced with thankfulness, and with humble submission.

Obj. 4. All or most of the non-indulged, faithful, and zealous ministers in the land are for hearing of the indulged; and only a few, and these of the younger sort, with the ignorant people, are against it. *Ans.* Though I would hope, few should lay any weight on this objection: and it were enough to desire such, who did lay any weight thereon, to consider John vii. 47, 48, 49. with Mr. Hutcheson's notes thereupon, specially the 7th and 9th. Yet I shall only say, that an impartial observer will find, that for the most part, in all the steps of our trial, since this last overthrow came, God hath made use of the nothings to break the ice to others. Holy is our Sovereign, who doth what he will. This might be made out by instances; but, I suppose, the matter is so manifest, that I need not insist thereupon, the matter about hearing of the curates, being a sufficient evidence of what I have said.

Obj. 5. Now when we are in hazard to be over-run with popery, is it seasonable, that such questions should be started, to break the remnant in pieces; and thereby to make all a prey for the man of sin? Were it not better that we were all united as one, to withstand that inundation? *Ans.* I grant, the apprehensions of the man of sin's stretching out his wings, and filling the breadth of Emmanuel's land, seemeth to me not altogether groundless; yea, it is much to be feared, that by popery and blood, the Lord shall avenge the quarrel of his covenant, and the contempt of his gospel: And therefore I judge, it were our duty this day, to be preparing ourselves to meet the Lord, thus coming to be avenged on a generation of his wrath, with ropes about our necks, giving him the glory of his righteousness, and acknowledging ourselves
the

the basest of sinners; that so we may be in case to say, in the day when the small remnant of the glory, that is yet to be seen on the mountains, shall depart out of sight, *Blessed be the glory of the Lord from his place.* Our union, while the accursed thing is among us, will be but a conspiracy, and will really weaken us before the Lord. If we be not tender of Christ's Headship, and of what depends thereupon, and of the least pin of his tabernacle, pitched among us; how can we expect his help, when we are to run with the horsemen? Will they not have most peace in that day, who have been jealous for the Lord of hosts, and for his crown interests? And who knoweth, but they shall find a shelter and a protection, in the day, when the overflowing scourge shall come, who are now following the Lord, and his glory, through mountains and valleys; and are, upon that account, suffering tossings, hardships and harrassings? How little security, I pray, shall the wings of the supremacy be able to give in that day? Our union in duty, and upon the old grounds of our received and sworn principles and maxims, would prove our strength; but if this shall not be had, as then every one may certainly conclude, that there is a dreadful stroke at the doors, and that this division, upon such an account, is a certain forerunner of a dark and dismal dispensation; so, it will be every man's duty, who would have peace, in the day of God's contending against a generation of backsliders and revolvers, to be mourning for the abominations of the land, and for this of the Indulgence, among the rest, and to be adhering to the Lord, and unto our principles, which the Lord hath owned and countenanced, though he should, in a manner, be left alone. Will not, I pray, many of these, who have complied with prelacy, and with the courses that have been carried on, profess an abhorrence at popery? And is this ground sufficient for us to think of uniting with them, notwithstanding of all they have done, that we may be the more fortified to withstand that torrent? Alas! this our strength will prove our weakness. Let us remember that, *Isa. viii. 11, 12, 13, 14. For the Lord spake thus to me, with a strong hand, and instructed me, that I should not walk in the way of this people, saying, Say not a confederacy to all them, to whom this people shall say, A confederacy: Neither fear ye their fear, nor be afraid. Sanctify the Lord of hosts himself; and let him be your fear, and let him be your dread. And he shall be for a sanctuary, &c.* It were more suitable for us to be considering that word, *Amos*

iv. 12, 13. *Therefore, thus will I do unto thee ; and because I will do this unto thee, prepare to meet thy God, O Israel : for lo, he that formeth the mountains, and createth the wind, and declareth unto man what is his thought, that maketh the morning darkness, and treadeth upon the high places of the earth : The Lord, the God of hosts is his name. And in order to a Christian compliance therewith, to be separating ourselves from every sinful course, mourning for our former miscarriages, and utterly forsaking such ways, whereby we have provoked the Lord to wrath. I shall close with that, Zeph. ii. 1, 2, 3. Gather yourselves together, yea, gather together, O nation not desired. Before the decree bring forth, before the day pass, as the chaff, before the fierce anger of the Lord come upon you, before the day of the Lord's anger come upon you. Seek ye the Lord, all ye meek of the earth, which have wrought his judgment, seek righteousness, seek meekness ; it may be, ye shall be hid, in the day of the Lord's anger. And let us all pray, Thy kingdom come, and thy will be done. AMEN.*

Among the persons indulged, Mr. Anthony Shaw indulged to Loudon or Newmilns, and Mr. Anthony Murray indulged to Carmichal are omitted ; and possibly some others, through want of full information, or through the neglect of transcribers.

F I N I S.

SUBSCRIBERS NAMES.

Given in by John Glen, Port-
Glasgow.

PORT-GLASGOW.

JAMES Ramsay, merchant
George M'Gie smith
William Brown, gardener
Alexander Gardiner, weaver
William Holm, shoemaker
John M'Grigor, labourer
John Carrick, brewer
Alexander Holm, ditto
William Young, wright
John Young, ditto
James Glen, taylor
David Auld, mason
William Allardie, weaver
Alexander Barnhill
James Ronald, shoemaker
Humphry Davie, ditto
William Wallace, ditto
John Willifon, merchant
John Beith, flesher
James Erskine, dyer
James Paton, cooper
Archibald Glen, mill-wright
John Law, carpenter
Finlay Keith, ditto
William Baird, ditto

GREENOCK.

JOHN Fleming, smith
Peter Morris, wright
Andrew Simson, ditto
Robert M'Farlane, ditto
Robert Lillie, ditto
Andrew Main, weaver
John Aitken, ditto
William Cochran, smith
Alexander Brown, dyer
Thomas Safely, clockmaker
Andrew Duncan, hatter
William Brown, wright, senior
Robert Walker, ditto
William Ruffel, mason

John Campbell, wright
Mary Threlkeld
James Watson, shoemaker
William Zuill, ditto
Thomas Edmiston, mason-
John Brown, wright
James Morison, ditto
James Munn, ditto
John Miller, gardener
William Smith, taylor
John Bannatyne, foreman, shoe-
factory

James Thomas, tobacconist
David Fife, weaver
Hugh Lang, dyer
William Hanna, silversmith

GOUROCK and INNERKIP.

JOHN Banks, miner
William Telford, ditto
Archibald Colquhoun, flax-dresser
Robert Finnie, ditto

CARDROSS.

WALTER Glen, miller
Daniel Mackay, clerk at Cork-
dale

James Hamilton, linen-printer
Matthew Bush, ditto
Charles Murray, ditto
James Stewart, ditto
Robert Nairn, ditto
John Craig, ditto
John M'Walter, weaver
Robert Houton, farmer
John Barr, ferrier
John M'Kim, weaver
Robert Davie, ditto
James Scott, dyer
Walter Lindsay, workman
John M'Gurdy, dyer
Robert Mackay, linen-printer
John Hall, ditto
John Kinloch

BONHILL.

JAMES M'Alaster, wright

Walter Craig, printer
 Thomas Maltman, ditto
 James Strathern, bleacher
 Daniel M'Grigor, shoemaker
 Daniel M'Rehany, workman
 William M'Alaster, carter
 Duncan M'Wattie, shoemaker
 William Gardiner, ditto
 Thomas Whitelill
 Robert Walker, dyer
 Robert Miller, servant, Tillie-
 houn
 Walter Lindsay, shoemaker
 John Merchant, ditto
 Duncan M'Naughtan
 Thomas M'Kim
 John M'Leod, printer
 Margaret Craig
 James Craig
 Alexander Lindsay
 William Ewing, cooper
 William M'Kinlay, wright
 John Hardie, taylor
 David Connell
 Walter M'Farlane
 James Lindsay, labourer

D U M B A R T O N.

ALEXANDER Brown, wright
 Robert Lang, ditto
 James Walker, shoemaker
 John Lindsay, ditto
 Robert Lang, farmer
 Andrew Waterston
 Walter Paterfon

S T I R L I N G.

WILLIAM Brown, merchant
 Robert Harvie, carpet-manufac-
 turer
 James Gourlie
 William Paterfon, bookseller,
 12 copies in sheets.
 Thomas Gilchrist, merchant
 John Henderson, weaver
 John Wingate, ditto
 James Bennet, taylor

S T. N I N I A N S.

ROBERT Buchanan
 John Cowan, farmer
 James Watson, weaver
 John Watson, ditto

G L A S G O W.

ROBERT Williamfon, stay-
 maker
 Mungo M'Intyre, shoemaker
 John Clarkfon, wright
 William Aiton, stockingmaker
 William M'Farlane, cooper
 Robert Paterfon, wright, Calton
 William Reid, weaver
 James Taylor, ditto
 James Hamilton, ditto
 John Willifon, ditto
 Joseph Weir, ditto
 John Mackay labourer
 Hugh Young, merchant
 Janet Glen
 Robert Ralston, Badhill
 John Binnie, schoolmaster, Kil-
 ington

P A I S L E Y.

ROBERT Brown, stocking-
 maker
 Matthew Lithgow, ditto
 Anthony Reid, weaver
 Alexander young, ditto
 Thomas Wylie, ditto
 William Scott, ditto
 William M'Clelland, ditto
 James Murdoch, ditto
 John Smith, ditto
 John M'Gill, ditto
 James M'Clymont, ditto
 Gilbert M'Cready, ditto
 John Machan, ditto
 James Young, ditto
 James, Campbell, ditto
 Matthew Brown, ditto
 Alexander Campbell, ditto
 Hugh Glasford, ditto
 Robert Dunlop, ditto

John Tenant, mason
John Mafe ditto
Robert Donald, Smith
James Aitken, wright
Andrew Willison, ditto
John Hutchison, warper
Margaret Lindsay
James Brown stocking-maker
Joseph Graham, weaver
David Wallace, ditto
James Malise, ditto
John Walker, stocking-maker
John Rentoul, wright
John Richmond, smith

KILBARCHAN.

HENRY Duncan, weaver
William Provan, ditto
James Gavin, ditto
Robert Davie, ditto
Alexander Stewart, ditto
James Laird, ditto
Elizabeth M'Arthur
Robert Young, weaver
Archibald Caldwell, farmer
William Anderson in Knows
James Allison, labourer

LOCHWINIOCH.

JOHN Orr of Midhouse
Andrew Carnduff, smith
John Crawford, weaver
James Wilson ditto
John Holm ditto
John Crawford, ditto
James Gaven, ditto
John Graham, ditto
James Glen, ditto
John Kirkwood, flax-dresser
Robert Houston, weaver
William Storie, ditto
John Cochran, ditto

KILWINNING.

JAMES Stirrat, shoemaker
Hugh Conn, weaver
Robert Jamieson, ditto

BEITH.

HENRY Wilson, wright
James Craig, saddler
Robert Boyd, weaver
John Barry, ditto
William Johnston, ditto
William Barr, ditto
Thomas Peuck, ditto
John Allan, ditto
Thomas Satson, ditto
Robert Fleming ditto
Robert Houston, ditto
John Miller, shoemaker
Archibald Baxter, ditto
John Stevenson, ditto
David Biggar, flax-dresser
James Mitchell, tobacconist
John Dobie, weaver
James Patison, ditto
Andrew Dollar, ditto
John Dow, wright
James Orr, weaver
William Fulton, ditto
Robert Kirkwood, ditto
Andrew Kirkwood, ditto
James Kirkwood, ditto
James Guy, ditto
Samuel Montgomery, portioner
Netloss
John Reid, smith in Haghead
Alex. Barr, portioner, Netloss
William Kirkwood, baker

DALRY.

ROBERT Brown, farmer
Andrew Greg, wright
Alexander Bowman, ditto
David Hervey, cooper
David Stirrat, mason
Daniel Campbell, ditto
John Wylie
Alexander Barclay
James Muir, weaver
Robert Allan, ditto
Thomas Paton, ditto

Robert Carswell, ditto
 Robert Hervey, mason
 John Crawford, farmer
 John Boyd
 Robert Fulton, dyke-builder
 Bryce Kerr, portioner of Auchingree

William Archibald, farmer

WEST KILBRIDE.

JOHN Fleck, farmer
 John Muir, portioner of Drumlin

William Miller

Robert Steel, merchant

James Duncan, tanner

Archibald Malcolm, sailor

Robert Scott, miller

John Thomson, farmer

James Wilson, shoemaker

James Davidson

William Biggart, weaver

Robert Stirrat, schoolmaster

John Miller, merchant taylor

James Calbreath in Crosbie

Thomas Robison, farmer

Samuel Campbell, taylor

Robert McNaught, wright, Largs

William Barr, weaver, Fairley

SALT COATS.

GEORGE Young, farmer

Daniel McGahe, weaver

John McMillan, ditto

James Grier, ditto

HAMILTON.

REVEREND Mr James Puntton, minister of the gospel

Gavin Ruet, wright

James Ruet, ditto

John Naismith, stocking-maker

David Warnock, shoemaker

Margaret Weir

James Horn, stocking-maker

Robert Hinfhaw mason

James Brown, shoemaker

Andrew Smith, stocking-maker

Thomas Aiton, weaver

Alexander Brown, ditto

William Paterfon, weaver

Robert Paterfon, ditto

Robert Brown, ditto

Daniel Telfer, ditto

Robert Turner, ditto

James Weir

William Dykes, taylor

John Davie

Alexander Campbell, weaver

John King, ditto

James Currie, junior, ditto

William Currie, ditto

Archibald Clark

John Drummond

Thomas More

Gavin Currie

William Brown

David Cowan

James Brown

Different Parishes

Alexander Cross, weaver, Old Monkland

Thomas Barr, taylor, Bothwell

John Park, dyke-builder, Kilmacolm

John Logan, mason, Kilbirnie

William Dobbie, weaver, Borrowstonness

Alex. Wylie, merchant, Perth

John Ewing, workman, Inchinnan

Hugh Gardiner, smith, ditto

William McGrigor, ferrier, Erskine

John Gibson, Neilston

Thomas Nairn, Dunlop

Robert Forsyth, Kirkconel

John Lambie, Kilmarnock

James Linton, merchant, Edinburgh

William Morison, weaver, Alloa

Henry Reid, weaver, Clackmanan

John Adie, Denny

David Hackney, Coldstream,

Given in by James Laing in Kil-David Wylie, farmer
marnock. David Law, ditto

KILMARNOCK.

REVEREND Mr. John Ruffel, minister of the gospel
James Thomson
James M Lean
James Dickie
Robert Thomson, carpet-weaver
Robert Wilson, weaver
Rev'd. Mr. Robert Jeffry, minister of the gospel
John Smith
Andrew Jamison
William Boyd, wright
James Freebairn, plaisterer
Robert Borland, flax-dresser
Rev'd Mr. Wil. Steven, minister of the gospel, Crooked-Holm

James Steven, dyer
Robert Crawford, farmer, Muir-houffaw

Geo. Dickie, miller in Miltoun of Grougar

John Aird, farmer, Langlands

William Finnie, merchant

John Petrie, shoemaker

Allan Wilkieson, ditto

Robert Wallace in Mossfide

William Frazer, gardener, Crawfordland

Thomas Wright, Sunnyside

William Wylie, mason

John Bishop, farmer

Thomas Rankin, dyer

John Adam, shoemaker

Archibald Millar, ditto

William Mack ditto

RICCARTOUN Parish.

JOHN Lambie, farmer

Robert Young, ditto

John Goldie, ditto

Thomas Craig, shoemaker

Hugh Baird, smith in Laputta

Andrew Hoat, wright

Francis Buntin, Nourishbank

KILMARES Parish.

JOHN Smith, in Grassmillside

Matthew Brown

Matthew Cameron

John Urie, Gatehead

FINWICK Parish.

JOHN White, farmer

Alexander Gemmil

Alexander Graham

John Barr, miller, Gardrum-mill

Robert Smith, Grass-Yards

SYMLNGTOUN Parish.

ROBERT Hay, quarrier

Andrew Breckenridge, shoemaker

David Niel, weaver

William Bone, ditto

Different Parishes.

HUGH Paton, farmer, Dundonald

James Blair there

Matthew Morton, farmer, Galston

Mr. John Wilson, schoolmaster, Tarbolton

James Stevenson, farmer in Underwood, Craigy

Given in by Andrew Reid, chapman.

ROBERT Rodger, farmer, Whitecraig

David Stirrat, farmer, Hallhill

Tho. Greg. farmer, Meiklemire

Robert Connal, smith in Liffnock Galston parish

Charles White of Woodside, Kil-winning parish

Alexander White of Woodside

James Cunningham, farmer, Lawthorn, Irvine parish

David Dickie, portioner in Horsehill, Finwick parish

George Millar, shoemaker, Kilmarnock

James Arthur, farmer, Auchensail, Kilbarchan parish

Robert Blair, Lawfield, Kilallan parish	Matthew Fowlds, mason, Grass-Yards
Robert Campbell, Littlemiln, Old Kilpatrick parish	James Wallace, Stonney-path
Matthew Blair, Newtown, Erskine parish	James Wallace, mason in Her-shaw-miln
James Brown, junior, Finwick	John Anderson, smith in Finwick
James M'Lellan, parish of Laid, kingdom of Ireland	John Gemmil, weaver there
John Stevenfon, of Whitelaw, Stewartown parish	Tho. Gemmil, shoemaker there
Jean Stewart, servant there	John Tannahill, wright there
Robert Thomson, Stewartown	Andrew Fulton, shoemaker there
Tho. Walker, farmer in Cowflop	Robert Tannahill, farmer, Ait-kenhead
Anne Currie, servant there	James Young in Kilwinning
Ja. Lindsay, farmer in Bredelan	Andrew Fleming in Croft-foot, Kilwinning parish
Thomas Lindsay in Clunch, Finwick parish	William Cameron, farmer in Ta-pitfawld, Stewartown parish
Hugh Steel, farmer in Clunch	Robert Baillie of Thirdpart, Dalry parish
Peter M'Kenzie, shoemaker, Kil-marnock	John Leed there
Robert Speir, farmer, Temple-ton, Dandonald parish	John Niven, Cubside
John Cunningham, Floack, Mearns parish	Given in by Alexander Cunning-ham, mason, Glasgow.
William Finlay, mason, Kilbirnie	JAMES Anderson, smith, Glasgow
Robert Montgomery, shoemaker there	John Donald, smith there
Robert Knox there	John M'Rae, smith there
John Fife, cooper there	James M'Nair, mason there
William Shedden, weaver there	John Ramsay, wright there
John Barclay, ditto there	Daniel Lithgow, mason there
William Orr, farmer there	John Millar, mason there
John Allan, wright there	John Rutherford, taylor there
James Peebles, ditto there	John Clark, junior, taylor there
James Orr, weaver there	John Smith, smith there
John Montgomery, ditto there	James Duncan, smith there
John Shedden, ditto there	Patrick Main, smith there
Patrick Montgomery there	John Yool, mason there
David Bone, farmer, Kilwinning	James Henderson, mason there
Ja. Valance, wright, Kilmarnock	Robert Young mason, Anderstoun
John Millar, taylor there	James Brown, smith, Glasgow
Andrew Brown, farmer, Norish-bank, Riccartoun parish	James Robb, smith there
William Mitchell of Daruhilling, parish of Finwick	Robert Smith, wright there
Steven Wallace, mason there	John Turnbull, stocking maker
	Robert Cuthbertson, ditto there
	James Smith, gun-maker, Gorbals
	John Smith, slater, Glasgow
	William Telfer, mason there

a. Cunningham, merch. Glasgow	John Gow of Blarowr, Drummond
Adam Fergulson, weaver, Camlachie	John M'Kechnie, Drumbeg, ditto
James Whitelaw, wright, Glasgow	Robert Gardiner in Bolal, ditto
John Morison, wright there	Janet M'Kechnie, ditto
Wil. Somervail, mason in Johnston	William Smith, weaver, Strathblane
Robert Somervail, mason, Glasgow	Archd. M'Clay, farmer, Kilearn pa.
John Warnoch, mason, Anderstoun	Wil. Buchanan, weaver, Boquhan, do
John Leechman, smith, Glasgow	John Forrester, farmer, St. Ninians p.
James Anderson, wright there	Given in by Jo. Dobie, Camfnaethen.
John Paton wright there	JAMES Thomson in Carluke
John Renton, plasterer there	Wil. Lindsay, mason, Cambusnaethen
Andrew Kinman, journeyman smith	John Bell, ditto ditto
William Baird, mason there	Robert Robison, wright ditto
James Reid, plasterer there	William Wallace, gardener ditto
John Munie, wright there	Andrew Nisbet, wright, Shots par.
John Watson, baker, Gorbals,	Thomas Nisbet, ditto ditto
Robert Barr, weaver, Glasgow	Alex. Lang, wright, Middle-house
John Reekie, taylor, Calton	Given in by James Anderson, Ste-
John Brown, mason there	wartown.
James Gibson, wright there	John Brown, weaver
Matthew Cleland, mason there	Henry Harper, ditto
John Smith, mason there	Andrew Fowlds, cooper.
William Meikle, baker there	Robert Forrest, mason, Lanark par.
Jo. Patrick, farmer, Wolside, Kilsyth	William Stevenson, Commonraig.
William Muir, mason, Glasgow	D. Cunningham, portioner, Revenstie
Thomas Crawford, plasterer there	Rob. Harper, weaver, Lamroughton
William Murray, plasterer there	Euphan Wilson, Gildramuir
William Harvie, shoemaker there	John Wallace, Greenside, Dreghorn
Matthew Morison, mason there	David Brown, Coldhame
Wil. Young student of divinity there	Hugh Calderwood, junior, Blackbyre
Robert King	Ja. Calderwood, weaver, Auchentiber
Thomas Stodart	John Smith, farmer, Lamroughton
John Barr	Wil. Graham, wright, Kilmarnock
James Caderhead	Given in by James Dunlop, taylor,
John Paterson	Stewartown.
Moses M'Lay	John Dunlop, wright
Alexander M'Lay	John Dunlop, shoemaker
James Hardie	Gabriel Steel, weaver
John Finlay, mason	William Brown, labourer
William Silson, wright	Daniel Kennedy, farmer
Given in by Mary Campbell.	John Picken, hosier
JO. Gardiner, wright, Kilmarnock	John Fowler, wright
Alex. M'Alaster, smith there	John Ackman, ditto
Archd. M'Clay, farmer, Finich there	James Hawthorn, taylor
John M'Keoun, Milton, Buchanan	John Dunlop, baker
William Leckie, Mains of ditto	William M Cleland, plasterer

Archibald Dunlop, shoemaker
William Howie, innkeeper
James Picken, butcher

John Jamieson, clockmaker there
John Thomson, servant there
William Law there
John Williamson there

Given in by Jo. Shaw, Stewartown.

WILLIAM Anderson, weaver

Robert Smith, ditto

John Gibson, ditto

William Vallange, ditto

Robert Sim, ditto

Jo. Caskie, portion. Lit. Robertland

James Logan, miller, Corshill-mill

David Ramsay, shoemaker

Alexander Ferguson, ditto

James Calderwood, ditto

John Wyllie, taylor

And. Picken, jun. portioner, Nethier
Robertland

John Bicket, portioner, Kirkford

Andrew Picken, ditto Robertland

Andrew Picken, senior, ditto

Ja. Picken, portioner, Little Corshill

William Brown, carrier

James Wyllie, hosier

George Park there

John Hamilton, Rodinhead there

James Young there

John Johnston, smith there

Robert Smith, Barnyard there

James Watson, Ridgehead there

Andrew Thomson, Hamilton parish

John Patrick there

Given in by Tho. Burns, Finwick.

JOHN Burns, portioner, Finwick

David Calderwood, Genford there

Wil. Cuthbertson, Burnfoot there

Robert Dunlop in Burnhouse there

Alexander Dunlop there

John Gemmil, junior there

William Hodge there

Robert Legat in Townhead there

James Love in Moorend there

David Muir, Dalnusternoch there

James Miller in Greenwalls there

James Murchland in Genhill there

Hugh Muir there

James Orr in Tannacrief there

John Muir, Borland, Kilrnarnock p.

James Brown in Blackwood ditto

William Kent in Bankend ditto

David Muir, junior, Tannahill do.

Ann Stewart in New Toodhill do.

Andrew Smith ditto

William Steel in Reeding ditto

Daniel Thomson in North Craig do.

David Walker ditto

Given in by John Stevenson, merch.

DA. Wyllie, portioner, Robertland

John Stevenson, ditto Whitlaw

Humphry Barbour, ditto there

John Ferguson, ditto Fulwood

J. Stevenson, carrier, Hill of Dunlop

Geo. Carmichael, Neilston parish

James Kay in Shaw, Ochiltree pa.

Jo. Lymburner, Bogend, Tarbolton

Alex. Crane, gardener, Stewartown

John Stevenson, 3 copies.

Given in by John Wilson, Kilbride.

JA. Pollock, portioner, Kilbride p.

Archibald Park, mason there

John Watt, weaver there

Robert Symson, gardener there

John Napier, miller there

James Allison, schoolmaster there

William Allison, quarrier there

Andrew Smith, labourer there

Matthew Templeton, Kilmares

David Dickie in Carmelwood ditto

Thomas Miller in Mauchline par.

Alex. Wyllie, merchant, Perth

Given in by William Craig.

REVD. Mr. David Somerville, mi-

nister of the gospel, Strathaven

Thomas Muirhead in Dalziel

Hugh Smith, Kilbride
 Robert Young, ditto
 James Steel, ditto
 James Craig, ditto
 Betty Wilson, ditto
 Janet Pumphrah, ditto
 Andrew Craig, ditto
 William Granger, ditto
 James Craig, Loggoch
 William Hamilton, Meadow-house
 Wil. Wilson, schoolmaster, Paisley

K I L M A R N O C K.

ROBERT Baird, manufacturer
 Gilbert M'Clure, plasterer
 William Aitken, cooper
 David Currie
 Robert Perry, manufacturer
 John Anderson, merchant
 Archibald Finnie, ditto
 James Steven, student of divinity
 Alexander Jamie, wright
 David Murdoch, ditto
 George Wallace, ditto
 Robert Telford, barber
 Walter Graham, 2 copies
 William Woodburn, wright
 William Breakenridge
 John Crossbie, wheel-wright
 Robert Creelman
 John Adamson
 James Russell, baker
 Charles Creelman, weaver
 William Cuthbertson, ditto
 John Mitroy, shoemaker
 Samuel Dalziel, ditto
 Thomas Paton, farmer in Rows
 William Smith
 William Muir, glover
 John Paton, ditto
 Allan Thomson, ditto
 John Crooks, ditto
 Hugh Culbertson, weaver
 John Ritchie, dyer
 Andrew Martin, ditto
 William Culbertson, mason

William Campbell, weaver
 Robert Paton, glover
 Robert Muir, ditto
 George Jamie, shoemaker
 Andrew Hutcheson, ditto
 Robert Tinnoch, ditto
 Robert Fulton, ditto
 Thomas Picken, weaver
 Jean Andrew
 George M'Nair, dyer
 Charles Stewart
 Thomas Howie, Little Burnhouses
 John Brooks, schoolmaster
 James Drummond, weaver
 Thomas Boyd of Keprihill
 Thomas Aiton in Woodhead
 James Craig in Muirhouse
 John Lambie there
 Allan Speits, Mains of Grougar
 John Fleming there
 John Hill in Silverwood
 Tho. Conell, smith in Towthorn
 William Aiton, innkeeper
 Alexander Torrance, Ralston Hill
 James Murdoch, weaver
 Matthew Moodie, bookbinder

K I L M A R E S.

WILLIAM Templeton, Pathfoot
 Andrew Dalziel
 William Muir, weaver
 Matthew Brown
 John Steel, farmer in Shaw
 Robert Smith, farmer in Weneland
 Jo. Cameron, king's letter-man, Shaw
 David Wilson, schoolmaster

S T E W A R T O W N.

MATTHEW Barr, merchant
 Nathaniel Crawford, silk-weaver
 John Brown, farmer in Biston

F I N W I C K.

JOHN Fulton, shoemaker
 John Blackwood, ditto
 William Buntin, weaver

James Howie, Drumtee
John Young, farmer, Rowallan

BATHGATE.

AUCHENLECK.

ROBERT Murdoch, merchant
James Wyllie, smith
John Milligan, mason
John Gibb
George Ducath
David Lennox, coal-grieve
Robert Steel
James Murdoch, mason
James M'Goven, Dernlaw
Thomas M'Millan, ditto
George Lambie, ditto
John Scott, cartwright
Cha. Richmond, carter to L. Dumf.
Andrew Borland, ditto
Alexander Peden, wright
James Templeton in Harpland
Jean Gibb
Betty M'Millan
William Dalrymple, weaver
Henry Dalrymple, officer to L. Dumf.
James Murdoch, weaver
John Murdoch, ditto
William Glendinan, shoemaker
James Livingston, ditto
Mungo Crawford, taylor
James Peden, farmer
David King, ditto
Henry Dalrymple, ditto
Mungo Reid, day-labourer
David Aird, ditto
Quinten Dunn, ditto
Hugh Hair, ditto

SORN.

WILLIAM Curel
William Brown
James Kirkland, weaver
Andrew Reid, shoemaker
John Young, taylor
George Anderson

REVEREND Mr. John Jamieson,
minister of the gospel
Alex. Laurie in Drumcross
Robert Gilmour in Cocksinuir
John Boag, shoemaker
John Crawford, ditto
George Ranken, wright
Robert Ramsay, taylor, 4 copies
James Gardiner, ditto
William Petrie, weaver

Different Parishes.

Alex. Giffen, Dundonald
Thomas Giffen there
Thomas Henry, farmer, Symington
Edward Stewart, weaver, Craigie
Alexander Thomson there
Matthew Wilson, weaver there
John Simson, weaver, Riccartoun
James Murray in Carlton, Ochiltree
Robert Souter, mason, Cumnock
Thomas Borland, cooper in Dervel
Andrew Houston in Altoun
William Young, stocking-maker,
Irvine
John Parker, farmer, Broomlands, do
John Dalziel there

James Scott
Hugh Caldwell
John Anderson
Hugh Anderson
James Hunter
Mrs. Duncan
James Hamilton
Margaret Hart
Logan Hodge
William Campbell
William Borland
David Niel
Mungo Knox
John Gemmil