



S E R M O N III.

KINGS and EMPEROURS, not
rightful Subjects to the POPE.

Mr Henry Hurst

Act. 26. 2. *I think my self happy King Agrippa, because I shall answer for my self this day before thee, &c.*

THough I cannot this day assume to my self that happiness the Apostle did, that he did Apologize before a King who was expert in all the Customs of the *Jews*, vers. 3; Yet (I do suppose) I may account my self happy, that I am to Apologize for Kings and Emperours, who do know, and have assumed to themselves their Royal Prerogatives granted to them from the King of Kings by whom they reign, confirmed to them by him who is set upon the Holy Hill of Zion; and infringed, eluded, or usurped by a Pretended Vicegerent, whose Right and Reason in his Pretences are no greater than his Humility or Modesty in the claim and exercise of his Power. Whilest I treat of this important Affair, I hope you that are my Auditors will do me reason to hear me patiently; and I humbly submit the Discourse to those sacred Persons whose cause needeth no more, or greater Advocates than have already appear'd in it: And if the immodest restlessness of incroachers do occasion a necessary Apology for this Cause, it deserveth a much better than now is by others desire, not his own choice, put upon it. If there be any thing less becoming the greatness of the Cause, and the excellency of the Persons, and (as I fore-

foresee it will be) not worthy the favourable acceptance of the meanest Prince; yet I humbly pray the favourable interpretation, and gracious pardon of all that my own weakness hath rendred defective; and a condescending acceptance of what the strength of Reason, the resentment of Duty, the obligation of Oaths, the dictates of Nature, the Command of God, and a vowed Loyalty to my Great and Gracious Sovereign, have in this (so much his) Cause better performed. With this desired candor and hoped favour I return to my Work, which lieth in the Text I have read, because in that either directly or consequentially lieth this Thesis.

Kings and Emperours are not rightful Subjects to the Pope, neither hath he Power for pretended or real Heresie to Excommunicate and Depose them, nor to Absolve their Subjects from their Oaths of Allegiance; but even the Clergy are subject to Secular Princes, and their Bodies and Estates under their Government.

In which *Thesis* (I observe) *two* different sort of *Propositions*, the *first Negative*, the *other Positive*; and these kind of Propositions in the Schools are differently treated, for the Positives are to be proved by the Opponent, the Negative to be defended by the Respondent; so should *Rome* if the Pope would carry his Cause, prove his own Right, which he can as easily now as ever; and with just such Arguments as formerly make good; whilst *immodest Claims, forcible Usurpations, enslaved Councils, citations of treasonable Decretals, appellations to seditious Canon-Law, blasphemous appropriation of Omnipotency, self-designing flatteries, and vowed obedience to the Pope against Nature, Reason and Religion*; Whilst these are accounted good proofs, what *Romanists* will think the Pope an Usurper? or his Wars against the Emperour Rebellion? May all Christian Kings enjoy their undoubted Rights, and keep in the undisturbed Possession of them until such Arguments of weak and senseless become strong and reasonable, his *Roman* Holiness will scarce think the reversion worth his thanks, if it be bequeath'd him, or worthy of his hope if it be promised him on such Terms, and on better I trust he will never have it. This Negative part of the Position (for reasons kept to my self) I do cast into the latter part of my Discourse, *The Positive Position*, viz. *The Clergy are subject to Secular Princes, and their Bodies and Estates under their Government*, I put in the first place, and shall first handle it; whence the Negative Propositions will as consequences follow and take their own place. Now here it is necessary I

The Summary of the Popes Right, and its Proofs.

1. Explain the Terms which are here used, and state the Thesis.
2. Confirm the Thesis so stated.
3. Discover the Doctrine and Doctors who avow the contrary.
4. Give you their Reasons, and an Answer to them.
5. Present you with some Corollaries from the Discourse.

Method of the Discourse.

Señ. 1.

Who meant
by Clergy in
the sense of
Scripture and
Ecclesiastick
Writers.

* Deut. 40. 20.

ἐῖναι αὐτοῖς
λαδὸν ἐκκλη-
σιῶν. And
Deut. 9. 29.

* καὶ οἱ λαοὶ
σε καὶ κληρὸς

1 Pet. 5. 3.

Cleros autem

vocat non Dia-

conos aut Pres-

byteros, sed gre-

gem qui cuique

forte contigit

Gubernandus.

Erasm. in loc.

So Vatablus &

Grotius ex-

plain the

word.

* Non negamus

appellationem istam

istam---antiquam esse &

ante multa secula in Ecclesiâ obtinuisse.

Pp. Salm. Thef. Theol.

* Per Sacerdotes intelligimus

Novi Testamenti ministros

presertim Ecclesiâ Antijites,

quos antiqui Patres,

quia non civili aliquo sed sacro munere funguntur,

Sacerdotes appellarunt,

Davenant. Determ. q. 15.

Señ. I. The first Term to be explained is *Clergy*, which admits of both a Scriptural sense, and an Ecclesiastical sense: in the Scripture-sense it doth lay it self out to such extent as far exceedeth the meaning of it in Ecclesiastical sense, as is evident from the use of the word κληρ, both in the *Old Testament, and in the *New, where it comprehendeth all the People that are in the Congregation of the Lord, thus the Laity are κληρ, the Inheritance of the Lord. But the favour of Rome is not so great toward the people, as to understand them a part of those whom they do assert exempted from the Secular Government, it were too immodest to spoil Princes of all their Subjects. * In the Ecclesiastical sense, as it hath been taken for many hundred years in all sort of Writers, in the Acts of Councils, in the Controversies of Disputants, in the Narratives of Historians, and now in the common language of both Protestants and Papists it is restrained to men in Ecclesiastical Office by Ordination and Dedication to Divine Ministrations, called by the Church of England, as well as by Papists (*Sacerdotes) Priests; to whom Rome vindicates a freedom from the Government of the Secular Power: In brief I understand here by Clergy, these last mentioned, and all Religious Persons, (of which multitudes are swarming under the Papacy) such as Abbots, Priors, Monks, Friars, Jesuits, &c. together with their Feminine Votaries, Abbesses, Nuns, &c. All these whether jointly, or a-part considered, are the persons I understand by Clergy. These are,

Señ. II. Subject, i.e. Not only De facto, because the Power of the Secular Prince is so formidable that they do not, because they dare not, deny him obedience; to which Henry the Eighth might well ascribe the most of the good behaviour of the Papistical Religious whom he subverted, but de jure they are subjected; God, Nature, Gratitude, Oaths, Religion, and necessary Constitutions of humane Laws have subjected them. In the words of the Apostle, Rom. 13. 5. Wherefore they must needs be subject, not only for wrath, but for Conscience sake. That is (as Grotius well Paraphraseth it) not only out of fear of punishment which the Law threatneth, but out of Conscience, because Christ hath commanded it.

The Subjection we speak of then is a voluntary, free, cheerful and dutiful Obedience which is due to the Civil Magistrate, and not an enforced Subjection; It is the result of Law, Conscience, and Love, not only the result of Fear and Compulsion. It is our Duty, and the Magistrates Due.

Properly and
strictly all
Princes are
Secular.

Señ. III. The next Term to be explained is *Secular Princes*; where by the way note, That Princes are properly Secular; their Dignity, Power, and Government is (quoad Originem) in its rise Divine; the Powers that

are,

are, are of God, but (*quo ad objecta*) as to the things they do take cognisance of, they are (though not solely, yet) *Primarily Secular*. And (*quoad externam formam*) as to the manner of pomp and state which may render the Government more Awful, 'tis and justly is, ordered and determined (*prout sapientie principis visum est*) as seemeth good to the wisdom of the Prince, and so is *Secular*. But what through the Royal favour of some good Princes, and more through the Ambition and Usurpations of Popish Ecclesiasticks, who have invested themselves with Principalities, and a Power equal with the Princes of this World; It is become necessary we should distinguish Princes into *Secular and Ecclesiastical*: The Secular being those Princes which we will call now Temporal and Civil; The Ecclesiastical such as the Pope, his Cardinals, and some Bishops, such as the Spiritual Electors in the Empire, &c. To which Inferiour Clergy do with less scruple acknowledg, and pay their ready Subjection; beside which I doubt not to assert, (and hope I shall be able to prove) they do owe a Subjection, and Obedience to the Temporal, Civil, i.e. Secular Prince; of which a word or two, that we may not mistake, or be mistaken. Now this term Prince may be taken either 1. In respect to the Person; or 2. In respect to the Office; In the first sense it referreth to Governments in a single Person, as in Kingdoms, in the latter it referreth to Government, managed by a State or Council, as of old in the Roman Commonwealth; or now in the Commonwealths of Venice, Genoa, or the Dutch. Neither of these may be excluded, where the Clergy are Subjects to a King, as in France, or Spain, they are his rightful Subjects: Where they are under a Commonwealth they are Subjects to the Secular Power; i.e. they owe Subjection to the Supream Civil Magistrate; as to their perpetual honour, and to the good example of all Christendom, the Illustrious Republick of Venice made both the proud Pope Paul the Fifth, and the stubborn Clergy of their State to learn and acknowledg, (*ἰδὲ τὴν ἑξῆς*) out of fear of the Magistrates Power, when they would not (*ἰδὲ τὴν οὐμειδισίαν*) out of sense of their own Duty. Again, ere I leave this, a Prince may be considered either with respect to Subjects that,

Whence it is that we must now distinguish into Princes Secular and Ecclesiastical.

Who these are.

Princes personally considered, or with respect to the Government. Ecclesiasticks rightful Subjects to either Monarchs, Commonwealths, as was excellently and effectually asserted by the Venetians against Paul the 5th.

First, Are born Subjects to whom the Supream Magistrate is Native Prince; to whom they owe fealty, and allegiance, whether they have sworn it, or not: Their Oath strengthens a former, but createth not their first obligation to Allegiance. This is coæval with their Persons, and is Natural. Or,

Princes and Subjects Natural and perpetual.

Secondly, Princes may be considered with respect to Subjects that are such, occasionally, and *Pro tempore*, as when either necessary occasions, invite or call men into a foreign Princes Countreys, or when an arbitrary choice out of curiosity, or the like, bringeth men into a foreign Jurisdiction: The case of Merchants, Students, and Travellers, whilst they are in those Countreys, they are in Conscience bound by the just known Laws of that Land; and if they transgress those Laws,

Each may be so occasionally and temporarily, as Merchants, Students and Travellers abroad.

to the forfeiture of State, Limb, or Life; the favour of the Prince may save the Criminal: But there is no benefit of Clergy can exempt him from the Jurisdiction of the Prince, or rescue him from the execution of the Law, by their Ministers of Justice.

Fourth Term explained, the Persons of Ecclesiastics subject to restraints of Law. Sentence of Law, against great crimes.

Señ. IV. The next thing to be explained is, *How their Bodies are, said to be, under Government of the Civil or Secular Prince.* In short their Persons are

First, Both liable to Arrests, Restraints, Imprisonments, and Coercion, as there shall be a just cause, or suspicion of just cause.

Secondly, And obnoxious to the sentence of the Law, according to the nature of their offence, so as either to lose Life, or Limb, or suffer by Stripes, or Stigmatizing, or Exile, or loss of Liberty, or any like corporal Penalty.

Common services for public good in extrem exigencies.

Thirdly, What personal services the community of the lay-Subjects are bound to do for their Countrey and their Prince, the Clergy are bound to. (though usually exempt from it through the favour of their Prince) and in an urgent necessity, on the command of their Prince; they may be obliged; and ought to afford their Assistance. (As in case of an Invasion to Arm, or in an assault of a City to defend it, or in the danger of his Prince's Person to rescue him with the Labour, Courage, and Hazard of his own Life) That Clergy-man, who in a storm would not obey the Pilots order, and take his turn at the Pump, to save the Vessel, and Goods, with his own Life and the Life of others; were as unworthy of a room in the Ship, as other lading that is cast over-board to prevent a danger from its weight.

Fifth Term explained, Estates of Clergy. Hereditary. Subjects as other inheritances. Beneficiary chargeable for public good.

Señ. V. The Estates of the Clergy, are next to be considered, and that in divers respects.

First, Their inheritances from their Fathers, do not by the Sons being a Clergy Man, become free from the common burthens, which Authority layeth on the Publick or generality of the Subjects for defraying publick charges.

Secondly, The Lands and Estates of their preferments of what sort soever, are in like manner chargeable, if the Magistrate judgeth it necessary and equal: And in such case they ought to obey as readily as other men, when their Prince with advice and consent of such Counsel as can duely impose it on others, have imposed it on them.

Social may be limited, taxed, regulated. Beneficiaries may be suspended or deprived on male-administration.

Thirdly, The Estates of Ecclesiastical Societies are under the Government of the Secular Authority, as well as the Estates of Lay-Societies and Corporations, to limit their increase by gifts, as by our Statute of Mortmain: To enquire and compel them, to imploy them to the uses for which they were given, as by commission of charitable uses.

Fourthly, The Estates of Clergy-men which are (*beneficia &c.*) given as encouragement to them, and reward of their labour, and duties discharged;

are

are so under the Civil Magistrate's Government, that he may eject and remove the negligent, and incorrigible male-administrators in that Office, as in other cases of male-administration. Though it may be most convenient to do this by Clergy-men, as Co-adjutors in the process; yet the Authoritative determination deriveth it self from the supreme Magistrate, who as He judgeth the Offender unworthy of the Trust of such an Office, so may dispossess him of the Benefit and Estate belonging to it.

Fifthly, *The Estates so taken from the one, may by the Power which justly took them away, be adjudged to another, who may better discharge the Office, and deserve the Benefice.* And in this case the Clergy-man must be subject, though possibly an error may be in the judgment passed, and no legal way be left for his relief; as fell out in the deprivation of the Protestant Ministers by Queen Mary. Such Estates may be conferred on others who shall discharge the trust.

Sixthly, *The Estates of Clergy-men are forfeitable on crimes of high nature, as well as other mens Estates.* Treason, of which (with or without leave from Rome, I say) a Clergy-man may be guilty, will forfeit his estate, and the Prince may (on conviction at least) seize it. Estates of Clergy-men, forfeitable as other mens.

Secl. 6. I come to the last Term to be opened, *Are under their Government*; where I do remind you, that we speak now of matter of Right, not of matter of Fact separate from Right: Their Persons, and Estates, ought to be under the Government of the secular Prince, as their Rightful Lord and Governour. Now Sixth Term opened under Government, de jure, and not only facto.

First, *Is for Protection* and defence: Governours are shields of the Earth, and Heirs of restraint, a praise to them that do well, and they watch over their people as Shepherds: whence the Poet rightly called his Prince *πόμνη λαών*: And here, in this part, none do with such importunate clamors, and immodest injunctions expect a share, as the disloyal Shavelins; as if the secular Arm were framed to the Body-Politick, only to defend the Persons and Estates of Ecclesiasticks, and to offend all others. Protection of Government, Clergy importunately claim. Herein Shavelins are immodest.

Secondly, *Is Directive*; and this, some of them will indeed allow the secular Magistrate over the Clergy; but ere the Magistrate can get clear of them with this small allowance of his right, it fares with him as they say, it doth with those who receive money of Witches, or the Devil, when they come to use it, 'tis vanisht or turned into withered leaves. For, Directive Government allowed by some: But this allowance vanisheth when to be exercised over Popish Clergy.

Thirdly, *The Coercive Power* of the Civil Magistrate in Governing them, they with more Wit than good manners, or dutifulness, endeavour to wrest from the Magistrate; and when he hath parted with the Power of punishing the ill-natur'd disobedience of the Clergy, he must content himself with such a measure of observance, as may no whit infringe the Clergie's Immunities, and Rights of Holy-mother, which you may be assured their discretion will make less, than their good Coercive Government, this the Popish Clergy reject.

Directive
without Co-
ercive Power
an Engine to
debase Sove-
reignty.

Nature would seem to allow : Indeed a Directive Power without Coercive, is an Engine to pull down the honour of a Prince, and to exalt the stubborn humour of every Male-contented Subject, a fit Project for *Rome* ; and some brain-sick Millenarie, who in his hot fit dreameth of a Crown for himself on Earth. But our *Thesis* intends to Subject the Clergy of *Rome* (for our own, they readily acknowledg it, and live) in a subjection to the directive Government of the Christian Magistrate, as the Rule of their Duty, and to the Coercive Government as the just Rule of punishment for neglect of their duties.

Civil Govern-
ment, though
not Christian,
hath both a
Power Direct-
ive and Coer-
cive over the
Clergy.

The Summary
of the Thesis
stated.

Fourthly, *Where the Government secular is not Christian, yet in all just and lawful commands, the Clergy is subject to the Directive Power of it; and in commands unjust and unlawful, their Persons and Estates are under the Coercive Power*, though it should be exercised to the highest degree of Persecution : And I do not remember beside Prayers, Supplications, Patience, and Tears, any remedy left them for the last relief, but an honest, peaceable and justifiable flight from their rage, and cruelty. I added this over and above, seeing our *Thesis* speaks of subjection to Princes, who are supposed Christians, and not Heathens. Summarily then the Clergy, who by the Pope and his Law are exempt from the jurisdiction of the secular Prince in all cases, are so far from a due and rightful claim to such exemption, that in all cases Civil and Criminal, and Ecclesiastical, they are both as to their Persons and Estates, subject to the Directive and Coercive Power of the Secular Prince, be he a Christian, or Heathen Magistrate ; in so much, that the Clergy owe him an Active obedience in the due and lawful exercise of his Directive Power : and in the undue exercise thereof, the Clergy as others owe him a Passive obedience, and neither may resist by force, or appeal from him to a Forreigner, to evade or null his Coercive Power.

2. General
Thesis proved.

St. Paul knew
none, nor
claimed any
such exemp-
tion, therefore
there was
none for him.

Rom. 1. 1. &
Gal. 1. 1.

Acts 25. 25, &
26. 31.

The state of the Position thus laid down, I come to the second thing proposed. *viz.* To prove that the Clergy are subject to the Secular Prince, &c. And so

1. First, *I argue from the Text*; a Majore ad Minus ; *St. Paul was a Clergy-man, fitter to be trusted with such an exemption from obedience to the Secular Prince, than any of our Present Clergy*. And if any such Priviledg had been given by Christ, or had been inherent in the Office, he would have known it, claimed it, and stood on it ; But *St. Paul* knew none such, stood not upon any such Priviledg : Therefore surely there is none such inherent in the Clergy, or annexed to the Clergy. I think there is not much doubt to be made, whether 1. He were a Clergy-man, who had his commission from God and Christ, without the ceremonies with which men do ordain to that Office. Or 2. Whether he were concerned to plead his Priviledg if he had any ; for it was a Case that toucht his Life, wherein he now was engaged. Or 3. Whether he might be bold on account of his Innocency to claim his Priviledg, since his judges determined he had done nothing worthy of Death

or of Bonds, *Act. 26. 31.* Had one of our Roman Priests been thus seized, imprisoned, impleaded, and endangered; we should soon have heard him, excepting to the jurisdiction of the Court, and appealing from an Incompetent Judg, and shuffling off the Process with importunate clamours, that he was a Spiritual Man, and not to be call'd to account by a Temporal Power. But here you find nothing of such an appeal, which cannot be imputed to the Nescience of the Apostle who was inspired by the Infallible Spirit: He would have known it if there had been any such exemption, nor may it with colour of Reason be said, he would not make use of his Priviledg, and that he did relax of his Right. * For 1. This would be supposed against all Reason, 1. His Life was then in question. 2. He was a Man would make use of his Priviledges, as when he pleaded himself a *Roman*. 3. He should have asserted his Priviledg, that from his testimony, succeeding Ecclesiasticks might firmly prove theirs, though he could not have gotten clear of their hands. 4. His silence in the Case hath done the Church much wrong, which date the Immunities, some Centuries later than *Paul's* time. 5. Whereas, Had he been as Zealous, and Wise as our *Roman* Priests now are; He had been more faithful to his Trust, and we had more clearly proved our Right. Farther yet, 6. It seemeth little short of a culpable dissimulation, that he should count, or profess to count himself happy that he was to answer before a Secular Prince. Nothing can be imagined more unbecoming him who was set for the defence of the Gospel, than such tame and soft Cowardise as he was guilty of, on the supposition of these pretended exempts. No, *St. Paul* would never have betrayed the Preachers of the Gospel, and the Religious in all ages succeeding; but have at least owned his Right to the Priviledg (if there had been any such,) before *Festus*, who was under the *Roman Caesar*, Governour of *Judea*; and so Judg in *Paul's* Case, though *Agrippa* was but an honourable Auditor.

his Prince and Benefactor, who found *Tho. Becket* most resolute to exempt the Clergy, though guilty of Murthers, from the judgment of the Secular Prince; that he might preserve the usurped Priviledges of the Church, when Reason, Law, and Gods own Word required just execution on such crimes proved against the Clergy.

And of later years, the like bred a quarrel betwixt the Serene Republick of *Venice*, and *Paul* the fifth.

* It is *Bellarmino's* Evasion, and *Suarez* approves it, *qui dicit Paulum non jure sed facto Casarem appellasse.*---*Nam jurisdictione exemptus erat utiq; jure divino sed quia alia ratione non poterat inimicorum insidias Evitare.*

I conclude therefore this Argument, the Clergy of this present Age, and of Ages past are as much under the Secular Government as was *St. Paul*; But he was so much under it, that he accounted himself happy, that he might have a candid hearing before the Secular Power, and could find no Priviledg to exempt himself: Therefore neither have our present Clergy any such Priviledg of exemption, and should acknow-

ledg it a happiness to defend a just cause before an Impartial Judge, and no wrong to be adjudged to a deserved correction for any crime condemned by the righteous Laws of their Sovereign Prince.

2. What was just and right, and ought to be owned by St. Paul a Clergy-man in the point of subjection to the Secular Power, that is just, right, & ought to be owned in the point of subjection to the Secular Authority now by the Clergy. This Proposition I think will need no proof, and if it should we shall meet with due place for it. But St. Paul owned this Subjection as what was just, right, and which ought to be. Now this Proposition is almost in express terms in that, *Act. 25. 10. I stand before Caesars judgment-seat**; (Which Phrase comprehendeth the whole matter of his Subjection) *where I ought to be judged*, which passage excludeth any just exception; *I stand at Caesars judgment seat; de facto, he was now before the Supreme Authority Civil**, and lest any should surmise that he did tacitely repine at it, or that we argue *a facto ad jus*; It is added by Saint Paul, *Where I ought to be judged*. I know some say that St. Paul did not this as what was of right to be done, but what was then most safe to be done, and because he could not otherwise escape the hands of the *Jews*; To which I Answer,

**Rectè Tribunal Caesaris vocat quod Procurator habebat nomine & mandato Caesaris.*
Grot. in loc.

*As Bellarmine and Suarez, &c. of that profession (who are by Profession and would gladly be in Practice sons

of Belial, i.e. without a Superiour) affirm *Paulum non jure sed facto Caesarem ap-*

(1.) That the word (*δεῖ*) may in some places be so taken to denote what must in a case be done, without respect to dueness and right; but from this it may be so taken [to the Jesuits, *Must be so taken*] is too weak an inference.

(2) The Greek *δεῖ* in the New Testament doth in most places denote that which ought *ex debito, justoque ordine*, to be done, and so the *Must* is a Moral *Must* resulting from the dueness of the thing, and that this is so the places cited in the Margent will prove. And yet farther we say,

Mat. 23. 23. *ταῦτα δεῖ ποιῆσαι*; and so *cap. 24. 6. & 25. 26.* and five times in St. Mark. And St. Luke whose phrase is most near the pure Greek doth use it Nineteen times, of which I think not one but requireth, or best beareth the Interpretation, *juxta debitum & ex jure*. And when he useth it in the *Acts*, of 24, or 25 places, scarce two will bear other sense than what comports with the dueness of Office, or comeliness of order, or such like issuing into a Moral *Must*, which is the same with Duty, and which is rightly express'd by *we ought*.

(3) Since St. Paul is most competent Judge of his own meaning, we'll view how he doth ordinarily take this *δεῖ*, Rom. 1. 27. *Receiving----- that recompense of their error (ὃν δεῖ) which was meet, i.e. just and due to them.* And Rom. 8. 26. *We know not what to pray for as we ought,* *δεῖ γὰρ αὐ-* *καθ' ὃ δεῖ.* And Rom. 12. 3. *I say to every man-----not to think-----*

αὐτὸν; and 2 Cor. 2. 3. *ἀφ' ὧν δεῖ με χαίρειν*; and c. 5. 10. *ὑμᾶς παρηγοῦναι δεῖ*; and Ephes. 6. 20. *ὡς δεῖ με λαλῆσαι.* So Col. 4. 4. and 1 Thes. 4. 1. *πῶς δεῖ ὑμᾶς πειπαλῆν.* And in his Epistles to Timothy, to Titus, and to the Hebrews, he still so useth the word *δεῖ* of which we now do treat.

(*αὐτὸ ὅ δέ*) above what he ought, &c. And so in other his Epistles his *τὸ δέον*, or his *Must* is what is right and ought, *ex debito & justo rerum ordine*, not what must of necessity be done. And this had so passed in the Text if it had not been so much against the Priviledg of these *Roman* Clergy, who cannot now bear the plain and literal meaning of this Word of God, because they will not keep in the place to which the Word of God assigned them.

(4) The Apostle could not without sin of a high nature according to the Doctrine of the Church of *Rome* thus appeal to a Secular Judge; and now think with your selves whether to gratifie the Jesuits and Clergy of *Rome* we shall make the Apostle guilty in so high a nature, and transgressing his own rule, by doing evil that good may come of it; the judgment for which sin slumbers not.

So *Paschal* chargeth King *Henry* the first of *England*, that he gave not honour to *St. Peter*, nor

to the Lord, because no Appeals came to *Rome*, i.e. Pope. *Tho. Becket* by way of Penance suspended himself from Priestly function for consenting once that Priests should be tried by Secular Power for Robberies, Murthers, &c. And he calls the Royal Decrees of the King and Parliament at *Clarendon*, for trying such crimes of the Clergy, wicked devices, *Baron. ad. Ann. 1167. Sect. 26.*

(5) So by this Gloss we shall fairly make every resolute (not to call them obstinate) Priest that refused to own the Supream Power of his Sovereign Prince, and chose rather to die condemned according to just Laws against Traytors, and so died a stout and brave Martyr for the Truth and the Church; When *Paul* through weakness of courage, or crafty shifts betrays the just Rights of the Church, which asperision you do as much abhor I know as becomes good Christians. Let them for ever remain Traytors to their Prince, who avow Appeals from him to an alien pretended Superiour; *St. Paul* would not out of design do it, he was too honest, he knew he could not of right do so, though his Person and Cause were Ecclesiastical, his Supream Secular Prince ought have the hearing of it, *I stand* (saith he) *at Cæsars Judgment-seat where I ought to be judged.*

Such a Saint and Martyr was *Tho. Becket* in disposition of mind, though (pity 'twas) he never was brought to legal trial for his treasonable practices. Such were

Nidigate executed for denying the Supremacy in *Hen. 8.* time, and *Bishop Fisher*, and also *Sir Thomas Moor*, with many others, who sacrificed their lives for a forreign Usurper against their Natural Prince.

Exmew, Middlemore, and

(6) Lastly, what-ever weakness or obscurity may be in my arguing from the Text, yet I am sure the Text doth more plainly and more irrefragably assert *Cæsars* Jurisdiction over this eminent Ecclesiastick than all the Texts produced to that end do prove the exemption of the Clergy from the Civil Magistrates Judgment, or their Subjection to the Pope. I cannot renounce common sense at so easie a rate as to say *Christ* said thrice to *Peter*, *feed*, &c. therefore the Pope is the Supream Judge of Ecclesiastick Persons and Causes in the whole Church; or if I were so easie an Arguer I should through the frailty of clear sense

sense more readily make this Heretical Conclusion, All Clergy-men inferiour to Saint *Paul* ought to own their Subjection to the Civil Authority without appeal from the Supream Power of their Prince; because *St. Paul* owned it his duty, and *Cæsars* right by that Confession, I stand before *Cæsars Judgment-seat where I ought to be judged*. If the *Romanists* be of his opinion, who when he was told that it was the Doctrine of *St. Paul*, which was asserted in opposition to his Tenet, made a quick reply, I am not of *Pauls* mind, I shall not take my self bound to reconcile them to his opinion; if we cannot have their company herein, we shall not much want it whilst we have such good company as *St. Paul* and *Cæsar*. In next place,

Third Proof
from Scrip-
ture.

Thirdly, I argue Clergy-men, Bodies and Estates are as other Subjects under the Government of the Secular Prince: Thus, *They who are included in the Community, on whom the Word of God chargeth Subjection to Princes as a duty, are under the Government of the Prince*. None can doubt this who doubt not that all is duty which the Divine Law chargeth on us in our places; But now *the Clergy are included in the Community*, which is apparent by that universal Proposition of the Apostle in *Rom. 13. 1. Let every soul be subject to the higher Powers*. It is now exploded (though pretending to *Origen* as to the Author) that this is meant of the Animal, not Spiritual man, *i.e.* the Clergy-man. Time was when such a gloss passed current with some whose Interest it was the Scripture should be eluded, rather than plain duty understood; and the aspiring ambition of Papal Clergy nipt in the bud. Now it is clear, that the Apostle retaineth the *Hebrew* Dialect, *Every soul, i.e. every man*. So that either our Papal Clergy must disclaim their kindred with Mankind, or else with their whole Family be subject to the Prince.

*Argutus quam
verius, faith
Erasmus in loc.*

*Omnis anima
dixit pro omni
homine. Erasmi.
unusquisque.*

Vatablus. Om-

*nis anima pro quovis homine. In utroque Testamento, Gen. 14. 21. Give me the Persons. Angl. Donne moi les Personnes, Gall Δός μοι τοὺς ἄνδρας. The Seventy-two so rendring the Heb. שְׁנַיִם אַנְדְּרָאִים Animas Personas intelligit & homines captivos. In the sense שְׁנַיִם is taken, Gen. 46. 15, 18, 22, 25, 26, & 27. Exod. 1. 5. Chap. 12. 4. chap. 15. 19. Lev. 5. 2. & 20. 6. Numb. 15. 25, 26. And many other places too long to be cited out of the Old Testament, in imitation whereof the New Testament so speaketh: *Act. 2. 41. & 43. chap. 3. 23. chap. 7. 14. chap. 27. 37. Rom. 2. 9. 1 Peter. 8. 20.**

The Persons of the Clergy are comprised in that (πᾶσα ψυχή) *let every soul*; their Estates in the 6. vers. *Render---tribute to whom tribute is due*. And that you may know to whom Tribute is due, the Apostle telleth you, it is to him that beareth the Sword, who hath Power Civil, and Secular; *vers. 4.*

Neither would I advise *Boniface* to thrust in here swaggering with his two Swords; for here is not room for him, the place is designed for one who hath but one Sword, and who came honestly by it, and can give a good account thereof as he is the Minister of God, a terrour to those that do evil, and revenger to execute wrath, not to excommu-
nicate

nicate. In a word this place doth so peremptorily subject all Persons to the Civil Power, that I must needs though somewhat related to the Clergy, profess the Text makes equal Subjection our duty; and gratitude to the favour of our Prince maketh our Exemptions (whatever they are) at once our Priviledges above our Neighbours; and our debts to our Prince.

Fourthly, The Apostle *St. Paul directeth Titus to preach Obedience and Subjection due to Principalities and Magistrates from Christians without any exception of Persons*, Tit. 3. 1. Nay, if you enquire who they are that *Titus must put in mind to be subject*, you cannot refer it to other than such persons as by *St. Pauls direction were committed to his care and teaching*, among which you will cap. 1. find the Clergy-Elders, ver. 5. *πρεσβυτεροι*, and Bishops, ver. 6. *επισκοποι*. These are some of those whom *Titus* must put in mind to obey Magistrates. How much doth the Papal Clergy need such a Monitor to cool their fervours to their Ecclesiastical Immunities, and to kindle their decay'd zeal for Obedience to the Civil Powers. Whence I thus reason, Those that *Titus* is commanded to mind of their Obedience to Magistrates, were of right under the Government of the Magistrate; But Presbyters and Bishops, i.e. Clergy-men were some of those who were to be so minded by him: Therefore they are of Right under the Government of the Civil Magistrate. This is the *Theopoliteia* of *St. Paul*. But lest you should doubt he had not good will enough to the Successors and Clients of *St. Peter*, out of an old quarrel that fell out between him and *St. Peter*, when the Doctor of the Gentiles was so bold with the Prince of Apostles, that he did charge him with dissimulation, a very small and dwarfish fault in *St. Peter*, and hugely improved in his Successors. Who knows whether a spice of this old grudge were not strew'd on the injunctions of Obedience, and Subjection to the Civil Power? But what was *St. Peters* opinion in the case?

Fourth Scripture Proof.

Fifthly, *St. Peter then in Epist. 1. chap. 2. 13, 14, 15, 16, verses*, doth very unluckily for his Successors and their Clergy fall into the same strain of Subjecting the Clergy as well as others; for he doth without exception require of all Christians that they submit themselves; i.e. their Persons, and by consequence their Estates, to every Ordinance of Man, whether to the King, &c. How unhappily forgetful was he of his Vicar! not one word of him and his Supremacy but all reserved intire to the King, and Inferiour Magistrates sent by the King, to whom all Christians within his Dominions are to submit themselves.

Fifth Scripture Proof.

But in those days Christians were under Persecution, and it would not have been prudence to have published their Priviledges, and to have exempted the Clergy. It seems *Rome* hath long understood by unwritten Verities and Apostolical Traditions, that *Peter* thought one thing, and wrote another. But the spite is; he doth *encathedra*, determine this where certainly he is Infallible; since his Successors in after-

ages

ages claim the Infalible Priviledg in vertue of that first Grant made to *Peter*; who in practice did once what his Successors do very often without impair of their Infalibility err (*in genere morum*) as to practice, but cannot in Doctrine. Well, sure *Peter* did thus direct prudentially, and temporising ! not so, his Reasons do as it falls out assure us he did own it as a perpetual Doctrine and Rule ; for 1. It is for the Lords sake, *vers.* 13. And this farther, 2. is the will of the Lord ; and 3. that by so doing they might stop the mouths of the foolish and ignorant ; who among the Heathens were ready to charge the Christians without any ground given, with that, which on just reasons from the seditious and rebellious practices of well-nigh a thousand years contesting with the Civil Supream Power, *Rome* hath given the foolish Hereticks to object against them ; but in the words of Royal mouth, *Their Faith is faction, and their Religion Rebellion.*

Sixth Scrip-
ture Proof.

Now to all these add we in the sixth place this Scripture-Argument; *That the Clergy whether ordinary Priests, or the High-Priests, or Prophets, once were and that (jure) of right subject to the Government of the Secular Power, and were bound to appear and give account of themselves to the Civil Power in case they were accused and summoned.* So when *Abimelech* and the Priests that dwelt at *Nob* were accused and summoned to give account of themselves, and what they had done for *David* ; they obey and appear before *Saul* their King, *1 Sam.* 22. 11. Who indeed did as cruelly and tyrannically adjudg them to death as they had dutifully and readily obey'd his Summons. But now sure if there had been any Priviledg of exemption, some one or other among those fourscore and five Priests would have known it, and pleaded it before they had been so unmercifully Butchered ; but here is not one word of all this, no exception to the Judg as incompetent, no deprivation, and degradation from the Priesthood, in order to reduce them to the Secular and Lay-state : No delivering them by the Ecclesiastick State into the hands of the Secular Power ; in which and such like formalities the *Romish* Priest (if at any time he be so unbefriended and unhappy) is stript of his Clerical Immunities, and delivered over to the Civil Sword. It is a Riddle *Rome* will hardly unfold with dexterity, that Eighty-five Priests should have neither knowledg of such a Priviledg, nor courage to plead it for saving their life. I need not advise a Seminary Priest apprehended and in danger of condemnation, to seek a Precedent at *Nob*, he knows he shall lose his labour ; it is *Rome* only that shaves the head, and then as sacred forbids Kings to meddle with it. Yet lest the Tyranny of *Saul* whom the Scripture notes for this, or the meanness of the sufferers should any whit invalidate the instance, let us look a little lower where we find *Abiathar* deprived of the Priestly Office by *Solomon*, *1 King.* 2. 26, 27. *Who commanded that he should get him to Anathoth, vers.* 26. and thrust him from being Priest before the Lord, *vers.* 27. The chief Priests a-
mong

among the Hebrews as they were put in by the Kings, so for grievous faults they might be put out, or punished with death by the Kings, for they were Subjects, and while the King sat the High Priest stood. So Grotius on the place.

Summi Sacerdotes apud Hebræos ut à regibus instituebantur; ita

et ab iisdem gravi ex culpa destitui imò et morte puniri poterint. Erant enim subditi idèq; jèdente Rege stabat summus Sacerdos: Hug. Grot. in loc. So Grotius took it for granted that Abimelech was High-Priest, to whom Sadok succeeded High-Priest, 1 Chron. 29. 22.

Now the Case is altered at Rome, and hath been long since. Abiathar came and (on his appearance) received sentence of Judgment from his Sovereign: But *Sergius the first* was of a more unyielding mettall, and though the Emperour *Justinian the second*, sent for him to *Constantinople*, to answer for his Disobedience to his Sovereign, who required him to receive the Canons of the Council of *Trullo*; yet this Pope found Partizans among his fellow-Subjects, who had less manners than to obey their Emperour, and more love to the Pope than to let him take so dangerous a Journey, and he good man would not be so unkind as to go against the will of those who offered violence to the extraordinary Pursuivant that summoned him. Nay men of less Authority have taken on them to refuse Obedience to the Summons of their Sovereign. Thus *Thomas Becket* though a greater Saint than *Sergius*, yet of a lower rank in Power refused to appear before King *Henry II.* and his Council of Nobles at *Northampton*. Nor was *Anselm's* carriage much more dutiful to his Sovereign King *Henry I.* to whom he refused to do Homage as was required and had been performed by his Predecessors.

An.Dom. 683.

Zacharias Pro- to Spatharius.

Anno 1164, or thereabouts.

Anno 1103.

By these Instances it appears that both ordinary Priests, nay the High-Priest himself among the *Jews*, were under the coercive Government of the Kings of *Israel*, whose Authority the Prophets, though by extraordinary call they may with reason be thought in some respect above the High-Priest, submitted unto without appeal to a Superiour, or exception to the incompetency of their Judgment. So did the Prophet submit to *Asa*, 2 Chron. 16. 10. and patiently did bear the hasty judgment of his angry Sovereign; no noise here of an appeal, no mention made of Immunities, of his Office, or Priviledg of the Clergy. The Seer doth not (what once the Servant of *Philip the Macedonian* King did) appeal from *Asa* a good King in a bad humour, to *Asa* a better Judg in a good humour. How would an *Anselm*, a *Becket*, a *Brandelino Valdemarino*, or *Scipio Saraceno* have hufft and Hector'd his Prince for such usage as *Hannani* from *Asa*, or *Jeremiah* from *Zedekiah* and his Princes, *Jer. 38. 5, 6.* found. But those great Clerks (so let me call the Prophets) pretended to no such exemption in those days, and yet *Jeremiah* had so ample commission that the Pope desireth no more to be granted him of Kings and Princes, and thinks this enough to set him above them all whilst he offers a violence to that Text, (*Jer. 1. 10. I have set thee over the Nations, and over the Kingdoms of the Earth.*) Great as the violence he offers

Pope *Joan*,
who was call'd
John the 3d.
a story avow'd
by more than
fifty Authors
of the Popish
Religion, as
Dr. *Prideaux*,
and *Blondell*
witness.

to the Emperours Crown and Sovereign Dignity. But it admits a plea whether to his excuse in part or to his greater shame, let the Impartial Judg without violence to both the Text and Princes, he had lost his longing, for neither do freely grant the Popes that Supremacy they must have, or they miscarry, though I think it was not the denial here-of was the cause of the miscarriage of the Female Pope; though both mother and brat too (I do guess, for I find not a word of this Popes Nieces or Nephews) died in the Child-bearing: Yet be it or better or worse for our own Clergy, or the shavelings of *Rome*; the Secular Authority did once govern the Clergy in the Church of the *Jews*; and ordinary Priests, the High-Priest and Prophets themselves submitted to it; whence our obedient and learned Clergy have example to their dutifulness, and the Papal Clergy a reproof of their disloyalty; and our *Thesis* hath a good evidence of its truth; which I shall now endeavour to prove by some farther Reasons (though I think enough to make out the truth hath been already delivered) perhaps Reason may convince some who are not willing to see the truth in Scripture-precedents.

Reas. 1. The Clergy are subject to the Government Secular, or else one of these two things will follow, *viz.*

Stanislaus Ovi-
chorius affirms
that a com-
mon Priest is
as much better

1. *Either each Clergy-man is a Sovereign, and under no Law and Government, which no sober man ever yet dreamt of, for this were to make every of them a God, or a King: Or else,*

as much better than a King, as a Man is better than a Beast. *Chimera* p. 97. 2.

2. *That they are by a Subordination of Persons of their own profession. Subjects and Vassals to a Supream Ecclesiastical Independent, or absolute Power without, or above, or against the Civil Power; which as no Loyal heart would with, so no Royal Crowned head should endure; for such considerations as I shall now offer to the Readers consideration.*

1. *This were to make either a native subject equal to his Sovereign Prince, or to render a considerable body of his People Subjects to a forreigner; which appears thus: If the body of the Clergy (and the orders of the professed Religious) be only subject and under the sole Government of one of their own Profession; and whoever is a native this person is, and his Successors will be (when advanced to the Supremacy and Ecclesiastical Sovereignty) set up in a power Independent on his Prince, and uncontrollable by his Prince, and so of a subject be made a Sovereign over the Clergy, whose obedience will be withdrawn from the Prince to the Ecclesiastical head, and Supream; or, If this Person, who is supposed Ecclesiastical Sovereign, and who ought to govern the Religious and the Clergy, be a forreigner, then he that by birth and blood is a stranger to the Prince becomes by this means the Lord and Sovereign over the*

the whole body of the Clergy and Religious, which in many Countrys is no small part of the people,

In England I believe it was well-nigh one third Priests

Religious; King James observes it in his Apology. *unum Gallie Regnum habet ultra 300000. hominum millia quæ sub obtentu clericatus, monachatus, functionisque Ecclesiasticæ jugum Regis excussurunt.* P. Molin. De Monach. Temp. Pontif. Roman. c. 18.

2. This would lessen all the Princes and Sovereigns of the world in three things essential to the very being and stability, as well as to the Glory and Grandeur of their Kingly Thrones and Majesty; It would lessen their Freedom and liberty in making Laws for their whole Kingdom, and ere they can resolve on that Ordinance which they do apprehend will be for universal good of their Kingdom, they must enquire of the Ecclesiastical Exempts whether such a Law would not violate the Ecclesiastical liberty, and ask them leave to make it, or else they shall be taught as *Aufelm* and *Becket* would teach their Sovereigns, or as *Paul* the fifth taught the Duke of *Savoy*, and the State of *Genova*, and would fain have taught the State of *Venice*, but they proved stubborn Scholars, and enforced that presuming tutor to forgo the Lecture.

Next it would lessen their Authority in commanding obedience to Laws made; the Exempt Clergy would undoubtedly first consider, whether the Obedience required were not an infraction of their Immunities, and how far it intrenched on the liberty of the Church, and when this is brought to an issue who does not see that the General privilege pretended untie the (*Vinculum necessariæ & debitæ observantiæ*) bond of a necessary Obedience which is due of Right to the Magistrate, and leaves the Exempt to the free determination, whether of good nature and voluntary choice he will comply with his Prince, or whether Prudence will not rather determine to secure their pretended Priviledg, and deny that to their Prince, which (they pretend) he hath no right to command. Almost by this means Obedience which by God and Nature is made the Prince his due, and the Clergy-mans debts is by a fraudulent pretext reduced to an uncertain and arbitrary benevolence. Here hence will ensue, The lessening of the Power which should execute Laws made, and which should support the Power in executing of them. How feeble is a Precarious Power? It is next to none which is but so much as the good nature of one like to suffer or be restrained by it, will allow it to be. All this I have said is evident from an undeniable instance of *Paul 5th.* who better informed, or bolder resolved, told the *Venetians*, He would not endure them to judg Ecclesiastical Persons who are not Subjects unto Princes, and whom they cannot chastise though they be *Rebellious*. By this Princes may see how little Power that Indulgent Father the Pope

Tenentur Clerici obligatione non coactivâ sed directivâ. Bellarm. de Clerici c. 28. Almost the third part of their Subjects and of their Territories is Church-men, and Church-livings, *K. Jam. Epist. to Free Princes, p. 21.* History of the Quarrels between P.P. 5th and *Venetians*,

Anno 1605. *Paul 5th.* envying the Sovereign Authority that was given to the *Venetians* by God, Nature, and the liberality of Emperours and Popes, as soon as he had assumed the Papacy he began to search out for ways to subvert it. II Cardinal. part. 2. lib. I. pag. 127.

would leave in their hands, who in Criminal cases of highest nature will so boldly deny them all power to judg Ecclesiasticks. Certainly by the same justice he taketh away power of judging by Laws Civil, he will also (when time serveth, and with equal right) deny them a power to make Laws to regulate the Obedience of the Ecclesiasticks, or if there be some daring Prince will venture to make the Law, the Pope, or who-ever shall be suppos'd the absolute Sovereign over the Clergy, shall by the injured Clergy have timely notice to interpose a Prohibition that the Obedience be not exacted, nor a non-Obedience to such Laws punishd. And what will remain to such a Prince but a Title and Name, lessened to such a degree, That he must owe the Peace of his Kingdom, the Reverence of his Royal Dignity, the Safety of his Person, and the Succession of his Posterity to the arbitrary will of every Clergy-man, or at least of the Ecclesiastical Prince.

2. *Reas.* They that are by the Word of God bound to pray for the Secular Prince as for a Sovereign under whose Power and Authority they do live and enjoy the quiet and prosperity of their life, are certainly under the Government of the Secular Prince, both as to their Persons or Bodies, and as to their Estates or Goods, which have no small share in the peace and quiet that they should desire to enjoy. I think little doubt can be made of this Proposition, or any thing contained in it; for it speaketh not of Prayers which (*ex debito Charitatis*) out of Christian charity we ought to make for all men, and specially for men in great Power who through a just favour may much advantage the Church of God. But we speak of Prayers that are to be made for particular Rulers under whom we either were born, or by Gods over-ruling Providence are for present determined. Now the Scripture doth thus direct, *1 Tim. 2. 1, 2. I exhort therefore (saith St. Paul) that first of all Supplications, &c. be made for*

* *παρακαλῶ, all men, for Kings, &c.* * In which words you have a Canon of the Apostle directing and commanding *Timothy*, and in him obliging Bishops to pray for all, for Kings and all in † Authority over us, that under their Government our life may be peaceable and quiet to our selves, whilest our Persons are defended from violence of the cruel, and our Estates are defended from the injuries of oppressors. Which certainly is a benefit as we enjoy in the place of our abode, so by the Government of the place where we abide: And this seems to be comprised in that of (*Eusebius* * citing) *Dionysius, without ceasing we pray for your Kingdom* † *Jer. 27. 17, that it may abide unshaken,* in the stability whereof our affairs will abide stable and safe. Now who sees not that this needs must be in that State or Kingdom where those live who are bound thus to Pray?

of the King of *Babylon*, and he enjoyns them to pray for the Government and Governors, *29. v. 11* and *7th*. So that put these together they make up the Proof that Clergy are bound to pray for the Civil Government as that they ought to submit their necks to.

* *Δι ημεῶς ὑπὲρ ἡς βασιλείας αὐτῶν ὅπως ἀσάλευτῃ διαμένῃ, προευχόμεθα:*

This Text then requireth those that pray to look on those Kings and Magistrates which in the Apostles words are βασιλεῖς καὶ ἐν ὑποτάξει, for whom they pray, as Kings over them, as their Rulers, and so consequently they must acknowledg themselves the Ruled or Subjects, according to the rule, That Relates do mutually suppose each other. In a word or two that the Clergy must pray for Kings, and for those that are in Authority, is certain enough from the comprehensive words of the Text: But for what Kings, &c. if for forreign, how much more for their own? If for their own then is it only that they may give good counsels, and by them direct the Clergy? This hath very little availed with resolute and turbulent Clergy-men, and can as little contribute to quieting the life of the disturbed as it can restrain, punish, and by coercive Power chastise the disturbers, which if it be (by an ill chance as often it hath been) found to proceed from the Clergy, alas the Prince is left helpless, and the Laity is left hopeles. And we had need to have another manner of address, viz. That all Men and Kings, and all in Authority should pray for the Clergy, that they may be good-natur'd, wise and thankful to God for their Immunities, that they may abuse none of their Immunities to the disturbance of the Prince or Laity, and so had we need the Text be changed.

Reas. 3. The Clergy are bound to give an Exemplary Obedience and Fidelity to their King, that by their Example the People who are committed to them for Instruction may be induced to and settled in their Obedience and Allegiance; but such an Example is not given, but rather a contrary example of disobedience, disrespect, and contumacy, by a pretended exemption of the Clergy; they are not then exempt, but ought to be in body and state, or goods under the Civil Government. Thus briefly, they that by God are commanded to give Exemplary Obedience to Civil Government, are as to their Persons and Goods under the Civil Government; But the Clergy are so commanded: Therefore they are under it. The Major Proposition can admit no doubt; for such a command from God makes our Obedience due to such a Government; the only dispute can be whether God hath commanded the Clergy to give example of such Obedience now? Thus I prove it; God commands them Exemplary doing what is to be done for the Lords sake, and what is to be done for Conscience sake; the Clergy more than others are bound by their Profession to let the World know that they are Conscientious, and that they act for the Lords sake: But now Obedience to Civil Magistrates is so commanded for the Lords sake, 1 Pet. 2.13. and it is commanded for Conscience too, Rom. 13.5. That the Clergy are comprehended in those general commands, as I have already proved, so now I say to confirm it, That where the Scripture doth not, they cannot except themselves.

Obedience to the Civil Government is every-where but at Rome, and in her appendant Schools a Moral vertue, and a necessary Ingredient to make

make an honest and virtuous man. And therefore the Loyal Moralists, the wise Law-givers, with best warrant of Reason and Religion always required it in all Subjects, only *Rome*, (where it matters not how much blind obedience to the Pope, or how little Religion toward God they find in their Clergy), taketh care that their Clergy be not mancipated to the strict Rules of Political vertues, lest of good Citizens and obedient Subjects, they should insensibly lapse into a disserviceableness to the Papal Tyranny. But we must, guided by Reason and Scripture, acknowledge Allegiance a very great virtue, wherein (as in other vertues) the Reformed Clergy are bound to be Ensamples to their flocks.

Keas. 4. They who do defend their Persons and their Goods by the Authority and Power of the Civil Government, ought in all equity and reason to bear and profess true Allegiance to the Governours and Government. The right which is done for them in such cases obligeth them to this duty, and the benefit from Governours to the Governed is a most just reason for Obedience from the Subject to the Prince. The Apostle St. Peter intimates this as one ground of Obedience, 1 Pet. 2. 13, 14. *Be ye subject, &c. Why? because Governours are ἐν ᾧ ἡμεῖς ὑποτασσόμεθα, appointed to restrain the injurious, and oppressive by judging, condemning and punishing their injustice. They are also ἐν ᾧ ἡμεῖς ἐπαύρομεθα, for the praise of those that do well, Protecting, rewarding, and praising them. The benefit we enjoy should in reason bind us to the obedience and submission we owe our Governours.*

By this Argument St. Paul prest the Christians at Rome to Obedience, Rom. 13. 3. *For Rulers are not a terrour to good works, but to the evil, &c. Do good and thou shalt have praise of the same, so ver. 4th. The Ruler is the Minister of God for good, &c. therefore be ye subject.* And this is the Prophets reason, *Pray for the Peace of the City, &c. But it's Babilon; true, but in the Peace thereof you shall enjoy peace,* Jer. 29. 1. with ver. 7. So then the Argument holds good in the Prophets and Apostles Logic; They who enjoy the benefits of a Government must be obedient to the Government. And I would fain know what will become of all the pleas which the *Romanists* make for the Preheminence of Clergy-men, if this foundation be not solid and good; the great benefits the Laity reap from the counsel and labours of the Clergy, they judg reason enough for the Laity's Subjection to them. In a word to speak Reason with Impartiality in the case, Let those that are benefited, be submissive to and observant of those by whom they are benefited, then the common people & all the Laity will duly observe in Spiritual cases the counsel & authority of their Spiritual Guides, and the Clergy in Civil and Secular Cases will be left where Christ and St. Peter did leave them under the Civil and Secular Prince to be governed by him. There is indeed a dispute whether the Right of Governing be originally in the Benefactor, because of the Benefit he bestows, or on some other account; but there is no dispute, nor will it admit any, whether the

Beneficia conferunt jus & potestatem Benefactori.

Bene-

Beneficiary be bound to his Benefactor, and ought for that very cause to observe and obey him.

Fifthly, *What Priviledges and exemptions for their Persons or Estates, from common or publick burthens and Services the Clergy do enjoy, they do enjoy through the favour of their Prince or Governour, who pleaseth to re- mit to them, what there may be some reason to perswade, but no Law, or Right to command from the Prince:* Who as at first he saw Reason to grant that favour, so will (I believe) continue it until he see a sufficient cause to recal his own Grant; which future cause may (by conjecture from what already hath been acted in our view) soonest arise from an usurping Ingratitude (the hereditary infirmity of the Papal See) which never giveth to any, what it can by fraud or force keep to it self: as the Grave and Impartial Author of the Council of Trent well observeth, on the Pompatick and Ridiculous Act of Paul the Fourth; giving the Kingly Title over Ireland to Queen Mary, who had derived it from her Father, and her Brother, and had assumed it to her self at her first coming to the Crown. Such Legerdemain hath long past at Rome, coined with the impress of gratitude or bounty, and when it hath cheated Kings and Princes, into a degree that awakens their resentments and just indignation; they will resume the exorbitant Grants of Priviledges, and teach the Papal Clergy to use more manners, and acknowledg that none of their Immunities granted by Princes, were intended to make them Princes fellows, or Rebels against them without guilt, or fear of answering at their Secular Judicatures. And when this shall come to pass, the Christian World shall understand the mistake of the Canonists in their Law; which assert, *That the Clergy, and all their Goods, are by Divine right free from the Power of Secular Princes.* Against which I shall now oppose no other Authority than the Concession of Bellarmine, one, as any other, able to say as much for, and as resolved to yield no more than he must needs in the Cause of the Ecclesiastick liberty; who confesseth (*lib. de clericis. c. 28.*) *That not one word can be produced from the Word of God, by which this exemption of the Clergy can be proved.* And therefore hence I shall briefly argue. They who owe their exemption of Body and Goods from Personal services and tribute to the Power of their Secular Prince; though by such favour they are actually free, yet originally they were subject to him, and of Right they still are: and if the Prince see cause to require it of them, they are bound to serve him with their Bodies and Estates, which is certainly to be under their Government. What the favour of the Prince granted once to any of his Subjects is as encouragement to their obedience, not as security to their disobedience, granted and it must be for common good: but when once it

Beneficia sunt argumenta juris postulandi, homines; ad officium jure debitum commo- vendi.

Illud hercle pontificibus in more positum, de alieno corio ludere, & quod justis dominis auferre nequeunt, id ipsi Elargiri. Histor. Conc. Trident. l. 5.

Clerici rebellio in Regem non est crimen lese majestatis, quia non est subditus Regi. Em. Sa. Aphoriz. confessariorum in voce clericus. Edit. Antwerp. Et Colon.

Clerici non possunt a judice politico puniri vel ullo modo trahi ad secularis magistratus tribunal. Bell. de cler. c. 28.

Clerici & eorum bona emnia jure dicere libera sunt apostatice seculari- um principum.

Bona clericorum sunt & merita debent esse ab omnibus Principum terrenorum tributis libera, exemptionis ista humano jure non divino introducta est, prop. 5.

proveth.

proveth a Universal, Publick inconvenience or mischief it ought to be reversed. Now Ecclesiastick Persons do owe their Immunities from personal Services and Tributes to the favour of their Secular Prince : Therefore their Persons and Goods are under their Government. If this do not appear evident, I would have a Papiſt tell me; What had been the Caſe of the Clergy, if ſuch Immunities had never been Granted? Had they not been under the Civil Magiſtrate? What if neceſſity awaken the Civil Magiſtrate, and he ſeeth in point of prudence and ſafety, that theſe Exemptions and Immunities may not be continued, and ſo by a Law revokes them, Doth not the Clergy thereby return to their priſtine Subjection? Eccleſiaſtical Immunities for the Bodies and Goods of the Eccleſiaſticks are introduced, *Jure humano*, by the Law of Man; if no ſuch Law had been made, or on juſt cauſe hereafter ſhall be repeal'd, no ſuch Exemption had ever been, or elſe had been null'd though once granted; if no ſuch Exemption had been granted, then had theſe Eccleſiaſticks been equally ſubject with the non-exempt, and as much bound to obey the Civil Government as the Lays.

Sixthly, *The Clergy as ſuch are in the eſſentiall conſtitution of their Office, and as to the Immunities that are neceſſarily appendant to it, or flowing from it, wholly of a different nature, viz. Spiritual; and therefore cannot in Reaſon claim Immunities which are in their nature Secular and Civil:* Such are theſe we have been diſcourſing of. Now, every one may ſoon know, that the Priviledges of every rank of men, are ſuitable to the Nature of that Office or Relation wherein they ſtand; ſo Civil Offices have the Immunities which are Civil, and Spiritual Offices are inveſted with Spiritual Immunities; as it is not a Priviledg due to a Chriſtian as Chriſtian, to be exempt from the Coercive Power of the Civil Magiſtrate; ſo neither is the Priviledg of the Clergy by vertue of their Office ſo great as to advance them above the Power of the Prince: God who knew what Priviledges were fitteſt for each Order of men, would ſure have told us that the Clergy ſhould be free from the Government of the Civil Magiſtrate, if he had either made or intended an Exemption in all Civil Caſes ſhould be a Priviledg to Eccleſiaſtick Perſons. But Bellarmine himſelf confeſſeth, that there is not one Word of God proving ſuch Immunities due to the Clergy. It were a great diſorder, and would bring in a confuſion upon the Univerſe to allow ſuch a mixture; for why is not the Irrational creature raiſed to the Priviledges of the Humane Nature? What answer would a Shaveling give me to the queſtion? Or why is the Humane Nature determined to a Satisfaction, with Priviledges below the Angelical? Is it not becauſe their Natures are different? Well, why is this a ſatisfactory account of different Priviledges in different Ranks of Natural Beings, and may not be alike ſatisfactory, in the different kinds of Moral and Political Beings and Orders? Theſe are as different as the other. It were a monſtrous birth ſhould a bruit bring forth ſomewhat half bruit and half

*Lib. de clericis
cap. 28. Nullum
poſteſt profiri
verbum Dei quo
iſta exemptio
confirmetur.*

half Man, and I do not yet see any less than monster in this; that the Indelible Characters of Priesthood should stamp a Licence of Immunities in Secular affairs: Such mishapen births *Rome* may perhaps little wonder at and foster, but we must do with them as our Laws, enquire out the offender, and condemn all that are proved guilty: So may the Fathers of this mishapen brat speed when-ever they are taken in their Treasons, on the confidence that their Indelible Character protects them from the stroke of the Secular Sword.

7. Real. *They who were born Native Subjects, and by Priesthood or Orders, enter not on any Relation that doth necessarily and justifiably abolish that former Relation; these though so ordained, remain Subjects to their Natural Prince, and owe him obedience still.* This Proposition surely none in their wits will deny; for the Native Subject is both as to Person and Estate under the Government of his Native Prince, and continues so until somewhat do (*jure*) by right, not only (*ex consequenti*) by consequence, abolish that primeval bond, which with his swadling bands, Nature and God put upon him. Now then, one of these two must be asserted by the exempt Clergy:

1. Either that they were never born Subjects, and so were in different sense from the Apostle born free. If they like not this, say

2. Or else though born Subjects, their Holy Orders have nulled that natural Allegiance, and defeated the Prince of so many Subjects as have been made Clerks. If this be the Case,

clericatus & monachatus functionisq; Ecclesiasticae jugum Regis excusserunt; aliumq; a Rege summum Principem agnoscunt non modo in Spiritualibus sed & in Temporalibus. P. du Moult. de Temp. Monar. P. R. cap. 18.

unum Gallia regnum habet ultra trecenta hominum millia quæ sub obtentu

I would enquire whence is this corroding quality in the Indelible Character, to eat out what is engraven so deep in our Natures by the God of Order and Nature? Certainly Christ and his Apostles never so tempered it: But *Rome* who found the bonds of Allegiance were fetters on them, restraining them from their resolved Usurpations, and hindring their growing Ambition, resolve what-ever comes on't; These Bonds must be broken, and these Cords must be cast off (to allude to that, *Psal. 2.*) and it must be done by some curious engine too, for else the noise of it would give an Allarm: In one word, The Grace of God in Christ to his Church, hath been so far from abolishing any, that it hath mightily fortified on all the bonds of Natural and just necessary Relations, in all sorts of men, Civil, and Sacred, and commands Ecclesiastical Persons as well as Civil, to observe the just Laws of those Princes, to whom Nature had before made them Subjects. It is not Christ's Canon, but the Canon of Antichrist, which to make good Clerks spoils good Citizens. Had the truth in this been as consistent with Papal designs, as the distinct duties of a good Subject, and Sa-

cred Person are consistant in one Person, I had neither troubled you and my self, nor had they troubled the World with this Controversy; It were time for Princes to command no more Priests should be made, until *Rome*, or who else do pretend the same Prerogative, had learnt to preserve a Loyal and good Citizen, while they make an Ecclesiastical Officer: might my motion be heard, they only should confer Orders on Subjects who had learnt this skill.

Eighthly, *And lastly, were this a Truth*, That the Clergy were both as to Bodies and Estates not under the Government of the Civil Magistrate, *How could the Primitive Christians, the Martyred Bishops, the persecuted Clergy, avow it to the World, that Christianity did not teach any thing destructive or dangerous to Commonwealths and Civil Governments?* How great an impudence would it be in it self to deny? Or how greatly would it have been to the shame of the suffering Christians, if that their adversaries could charge on them, that they professed a Religion which directly spoil'd the Magistrate of his Coercive Power over their Priests, and Indirectly, *i. e. in ordine ad spiritualia*, in relation to spirituals, spoiled him of his Coercive Power over the rest of his Subjects: *Julian's Sarcasme* had been but a Retaliation to them, if they had been so principled and perswaded. Might he not with some colour of Reason plead, You have spoil'd me of Supreme Authority over Sacred Persons their Bodies and Estates, as too Holy to be commanded by the polluted hands of Secular Princes: And I judg the Persons of Priests and Christians too Holy to meddle with the polluting things of this World, and will, *in ordine ad spiritualia*, free them from those cares and businesses? Had there been a proof made before any one Tribunal of the *Roman* Emperours, that the Christian Religion had published, maintained, and practised such a Proposition; the impartial World would soon have pull'd off the mask, and shew'd undeniably that those pretended Martyrs were not condemned for the profession of their speculative opinions, or the owning of the Truth of the History of Christ: but that these pretended Martyrs were real and avowed Traytors, enemies to *Cæsar*, to the Civil Government, and dangerous usurpers on the Supreme Authority of the Prince. Such Martyrs indeed may now be talkt of in *Rome*; but what impartial Judg will not condemn the Treasonableness of the crime which deserved, and the Impudence of the Plea which defends the sufferers, who died for disloyal rejection of their Native Prince, and traiterous subjecting themselves to the Power of a Forreigner, enemy to him in whose Kingdom they do flourish or might flourish?

Now after so much Reason pleaded for the subjection of the Clergy in Civil Causes to the Civil Magistrate, it may perhaps seem to some incredible, that any Doctrine by any Doctor should be avowed contrary hereunto; can there be such an unreasonable opinion entertain'd, or maintained by any? *The next thing proposed for to be treated, will plain enough*

He derided the Christians he rob'd with this scoff, that he would make their journey to Heaven more expedite and easie.

enough shew both who are the Teachers, and what is that they Teach in this point : Wherein I will be brief, and but name particulars. The Church of Rome hath (excepting some few) in all places where they durst act barefaced owned this, and strongly contested for it : That neither the Goods nor the Persons of their Clergy, or Religious, were under any Coact-ive Power of the Civil Magistrate. Indeed some Persons of the Roman Communion as Loyal, as Learned, do disclaim such exemptions and Immunities, content with the favour of their Sovereign; to whom they are ready to acknowledg they owe their Immunities, whatever they are, above the Immunities that their fellow-Subjects enjoy for their Persons or Goods : Nay, whole Churches and Seignories that we rightly account Popish, as the French, the Venetians, do accord with the Protestant Churches, in the just opposition of such unlimited and absolute Immunities for the Clergy, and maintain the Sovereign Authority of the Prince over the Persons and Estates of the Ecclesiasticks. Or in the Words of a Person of Honour who hath lately spoken to this case on the by. *God be thanked that senseless Usurpation and exemption of the Clergy from the common Justice of Nations, is pretty well out of countenance, and since the Republick of Venice so notoriously bastled Paul the fifth in that very point; other Kings and Princes have chastised their own Clergy for transcendent Crimes, without asking leave of his Holiness, or treating them in any other manner than they do their ordinary malefactors.* This is the Case now, but time was when the Pope and the Clergy would not so easily have forgone their Usurpations, and Princes how great soever, should have hardly exercised such an undoubted Right : And time will come again (if ever the Pope can attain to a Power that may encourage him to revive his pretended Right) when he will exempt the Clergy from the jurisdiction of Secular Princes, and resume all the Causes which concern the Persons or Estates of Clergymen into his own hand, and determine them as proper only for his Cognisance. Nor do I surmise more than I have ground for; it was some ages past, the humour of the Pope and his adherents, and still is their aim, as will be evident to those who can and will consult at leisure.

3. General who they are that exempt the Clergy from the Government of Secular Princes.

The Church of Rome generally.

Animadversions upon Fanaticism Fanatically imputed, &c. by Dr. St. And the imputation refused and retorted, by S. C. p. 143. and 144.

A common Priest is as much better than a King, as a Man is better than a Beast: Nay, as much as God Almighty doth exceed a Priest, so much doth a

Priest excel a King. *Stanislaus Orichorus in chimera. fol. 97. cited by H. Fowles, p. 37.*

First, The treatises of some modern Jesuits excellent Schollars, yet sworn supporters of the Popedom, and very zealous sticklers for the Immunities of the Clergy; as resolute Souldiers who defend the outworks, for the greater safeguard of the City. So Bellarmine in his Book *de clericis*, avows, The Clergy by Divine Right, free from the Authority of the Secular Princes. And Emanuel Sa. tells you what he thought in the Case, when he gives you a Jesuitical i. e. an impudent and treasonable Reason, why a Clergy-Man cannot be guilty of Treason: viz, Because

Aphorism.
confessorio-
rum in voce
clericus. Edit.
Colonienf. &
Antwerp.

the Clergy-Man is not the Prince his Subject. So in the *Colen* and *Antwerp* editions of his Book.

Secondly, *The Constitutions of some Councils*; nor is it to be wondered at, that since Popes got usurped Power in their hands, they can by the Ecclesiastical Diet assume what Immunities may for future establish their Hierarchy, and confirm what hath been usurped with much profit and advantage to their Church and Cause.

Thirdly, *The Decretals of Popes* (which is as valid an Authority, as the Ordinance of a Prosperous Rebel, determining himself and his Superioribus ad confederates Innocent Persons and Loyal Subjects) and their Bulls, mensibus & among which that of *Paul* the Fifth against the Duke and Republick of Apostolicæ sedis audientiam pervenit Venice, as it is late so may suffice, being backt with Nine or Ten Precedents of other Popes, in like Cases. *Whereas of late it came to our Ducem & Senatū, that the Duke and Council of Venice have enacted divers Decrees contrary to the Liberty and Immunity Ecclesiastick, and repugnant to the Sacred Canons and General Councils, and to the Constitutions of the Roman Popes.---* And the said Duke and Council have Imprisoned and detained in ta --- Ec- Prison, Scipio Saracenus, and Brandelino Valdemarino, Persons in Ecclesiasticæ li- clesiastick dignity, for certain Crimes by them committed: All which is done bertati ac immunitati contra- with pretence, that it was lawful for them (Duke and Senate) to do these things.

Generalibus Conciliis & sacris canonibus, nec non Romanorum Pontificum constitutionibus repugnantia statu- ille — Eisdem Ducem & Senatū.

Et Senatū Scipionem Saracenum Canonicum Vicentinum & Brandalinum Valdemarinum Forojulensem Abbatē — Personam in dignitate Ecclesiasticā constitutum ob quædam crimina --- commissa canceri mancipasse & mancipatos detinuisse sub pretextu quod eis hæc facere lice- ret.

Here you have the Act of the Illustrious Duke and State secretly tra- duced as an unjustifiable Act, and the Power (by which they do it), represented to the World as an Usurpation prejudicial to the Church-ex- emptions. The Crimes of the Persons were notoriously foul, especially of the Abbot, viz. Sorcery, Rapes, Incest, and many Murthers which the Papal softness terms, *certain pretended crimes (as was reported) by them committed*, for which, as well they deserved, they were Imprison'd: But *The Premisses being prejudicial to the Rights of the Apostolical See, and to our Authority (saith Pope Paul the Fifth) and to the Priviledges of the Persons Ecclesiastick, and for that they overthrow the Liberty and Immunity of the Church.*

Quædam
præterita cri-
mina --- per
illos ut dice-
batur --- com-
missa.

Cumq; præ-
missa --- fedi

Apostolicæ, nostræ Autoritati, & Ecclesiarum Juribus, & Ecclesiasticarum personarum privile- giis præjudicium inferant, ipsamq; libertatem & immunitatem Ecclesiasticam tollant.

His Holiness good man! could not bear it, and therefore after much ado he comes to tell us what he will do, and with what good examples and

and warrant for it in these words, and with the great names of Ten Popes. *We who by no means ought to endure that the Ecclesiastical Liberty and Immunity, or our Authority and the Authority of the Apostolick See should be violated and contemned, following the example of most General Councils; and of fresh memory the examples of &c. And other Popes our Predecessours, who have revoked the like Statutes publish't against the Ecclesiastick Liberty, as statutes which in justice were Null, Invalid and not Ratified, and who have decreed and declared that they were Null, Invalid, and of no force.*

Nos qui nulli Pacto ferre debemus ut Ecclesiastica libertas & Immunitas, non Apostolica Autoritas violetur & contemnatur, Inhærentes plurimorum Generalium Conciliorum decretis, ac vestigijs Re. Me. Innocent. 3. Honorii: 3. Gregorii: 9. Alexand. 4. Clem. 4. Martini. 4. Bonif. 7. & 9. Martini. 5. Nicolai. 5. Et Aliorum R. P. predecessorum Nostrorum qui similia Statuta alias contra libertatem Ecclesiasticam edita tanquam ipso jure nulla, invalida & irrita revocarunt, ac nulla invalida & irrita decreverunt & declararunt.

In a little Paragraph you see how much less the Pope makes of the Authority of free Princes, and how he doth pronounce that his Predecessours and General Councils have in like Cases asserted the Ecclesiastical Immunities; and a Sovereign Prince may not punish Rapes, and Murthers in a Person who is dignified with the Orders of the Church, if he doth, though they are Nullities in themselves, they shall be (as in this case they were) declared a-new from Rome Nullities. *On Mature deliberation with our venerable Brethren the Cardinals of the Holy Church of Rome, with their consent and Council, (though the foresaid Decrees, Edicts, and Commands, were in Law it self Null, Invalid, and Void) by these Presents we do decree and declare notwithstanding a-new, that they were and are Null, Invalid, and Void, of no force or moment; And that none are bound to the observing of them.*

Habita cum venerabilibus fratribus nostris S. R. E. Cardinalibus matura consultatione de ipsorum consilio & assensu (licet supra-

dicta decreta & edicta, & Mandata ipso jure nulla, invalida, & irrita sint) ea nihilominus ipso jure adhuc de novo nulla, invalida & irrita, nulliusq; roboris & momenti fuisse & esse & neminem ad illorum observantiam teneri per præsentis decernimus & declaramus.

Excellently spoken! and like the Successor of an humble Fisherman! Though the Duke of Venice may marry the Adriatick without a license from Rome, He may not imprison a murderous Abböt without the hazard of losing his Principality; Who would not wish to be a Denison of Rome, if a Conclave of the Purple Fathers may reverse a Law which was made to restrain the enormous violences of Clergymen? Compassionate Fathers that prefer the safety of their single Sons to the safety of whole Kingdoms!

By this you see Jesuites, Cardinals, the Consistory, the Popes successively, and General Councils (if there be truth in the Pope's Bull) *Synodus seculares Principes admovuit. nec permissuros ut officiales. Ecclesiæ & personarum Ecclesiasticarum Immunitatem violent &c. Concil. Trident. Sess. 25. cap. 20.*

History of
Management
of Cardinal
Mazarine.
tom. 1. part. 3.
p. 267.

History of
Venice. lib. 9.
pag. 359.

exempt the Clergy from the Coactive Power of a Civil Magistrate against Nature, Reason, and Religion. How far they would allow the Directive Power if time favoured them, I give you leave to guess from the late instance of Pope *Urban*, 1632. and Pope Innocent the Tenth; This latter interposing between the French King, requiring Cardinal *de Retz* to renounce his Title or pretence to the Archbishoprick of *Paris*, reviving the old Maxime, *That Princes ought not to be suffered to meddle in Ecclesiastical affairs, this being to put their Sickle too boldly in another man's harvest:* The former refusing to admit *Ferdinand 2.* his Embassadour extraordinary which was Cardinal *Pasman*, for avoiding (as the excellent Historian *Bapt. Nani* reports it) to admit such an Embassadour, *be alledged, that a Cardinal honoured with the Purple and a Holy Character could not be employ'd in the service of Secular Princes.*

This is plain dealing however, and so far Princes are obliged; that they will speak their minds sometimes freely. Now I see if Clergymen offend the Laws, Princes are ill-natur'd to punish, because Clergymen owe them obedience to Directive Laws; And if they employ them in a matter unwelcome to his Holiness, the Princes make too bold with them that bear the Impress of a Holy Character; so precarious must the Rule of Princes be over an exempted Clergy. Yet, What Reason may be supposed for this? Certainly so great a Priviledg cannot in Reason be pretended by wise and honest men, to be warranted by light and trivial Arguments.

4. General.
The Reasons,
for exemp-
tions Eccle-
siastick.

Two sorts of Arguments I usually meet with urged; First, Drawn *ab Indecoro*, from the unseemliness of subjecting the Clergy to the Government of the Civil Magistrate, and this hath three indecencies in it; of which by and by.

1. Ab inde-
coro.

The Second drawn *a Jure*, from their Right to be exempted, and this also is threefold, of which ere long. Mean time return we to the first.

It is, say the Papal Orators, a very unseemly thing that the Clergy should be so subjected. For my part if there be an Indecency in it, I could be glad the Indecency were removed, I should think some advantage would thereby accrew to the Reformed Clergy; but without Spectacles of the Papal make, we shall never be able to descry the Indecencies; let us borrow Cardinal *Bellarmin's* and with them look how unhandsome it is.

That Shep-
herds be un-
der their
Sheep.
Answer.

First, *That the Shepherd should be under the Government of the Sheep.* This is a clear Case: But the mischief is, *Similitudes are no Demonstrations;* Nor doth the *Scripture* forbear to call Kings Shepherds, and perhaps oftner than the Priest is called so; and the Argument is retorted *Clergy-men are in Seculars* and Civil matters to a Man (except some few crafty Foxes among them) *Sheep, The Prince is their Shepherd, It is undecent that the Sheep should be exempt from the Shepherds Government:* Therefore undecent the Clergy be exempt from the Civil Magistrate, so we dismiss the first.

Secondly,

2. It is an Indecency that he who to day governeth as the Clergy-man Indecent that from the Pulpit in confession, or giving ghostly counsel to the Prince, should he who to morrow be cited before his tribunal, and be judged there. Very preacheth this day should to good!

2. An Indecency I confess there is that a Clergy-man should by any misdemeanor deserve it: But as the Fathers in the Council of Trent sometime judged by argued to their advantage: Customs manners and humours alter, and them he what was handsome of old becomes unhandsome now; and besides, preached to. Countrys differ; nothing more graceful than to be mounted on a white What is truly Ass among the Jews; but the Pope would resent it as an high affront if Indecent in Indecencies as his Catholick Majesty should by a strange activity (like the Transub- men fancy. stantiating act of the Priest) turn the white Neapolitan Courser into an Ass for the Tribute due to his Holiness for the Kingdom of Naples, and send it for him to ride on. In a word all we heretical Protestants (and a No Protestant great many of the good Catholicks of all Countrys) fancy to our selves, can see this Indecency, & That it is very meet to see a Clergy-man preaching to his Prince from many Papists the Word of God, whilest he is dutiful and loyal; and to see him im- can't see it. prison'd and executed for his Treasons when he is guilty; if this be an unlucky custom among us, let the Clergy be (as the Protestant will be) loyal, or keep out of places where are practiced such unhandsome customs and laws, as to hang, murdering and felonious Priests in the common fashion of other Rogues without leave askt of the Pope.

3. A third Indecency is, that the Clergy who are servants of God and Indecent the sacred persons, should be judg'd by the Vassals of the World, and the servants of impure hands of Laymen. A mighty absurdity if well considered! God be sub- ject to Vassals

I never knew the full weight of this Argument before I had met of the World. with the information that Stanislaus Orichorius gave me, That every com- mon Priest does as much excel a King as a beast does excel a man. Now Answer'd. by this Rule it were as much pity to see a King judg, condemn, and cause to be hang'd, or headed a Priest, as it would be to see a Horse, or Ass by an usurped power turn upon and execute his Master and driver. In a word when I see the usurping beast so use a man I will endeavour to prevent the absurdity: But if ever it be my lot to see or hear a Sovereign Prince judg, condemn, and put to death a shaveling, and one of Romes Consecrated Priests, (or one of a more reformed pro- fession) under the guilt of capital crimes, I should desire the Father to excuse me untill I saw as clearly as Stanislaus did, The Priest was the man, and the King the beast; and ere that will be, my help will stand him in as much stead as a pardon doth after the Criminal is hang'd: Lastly I wonder Kings will endure such absurdities when they might prevent it; let Rome make their Priest less, and account Kings greater; or if this superlative Greatness be essential to the Priesthood, I humbly submit the resolution, whether it were not fitter such a Priest- hood should be abolisht than all Kings be thus made Asses, (and with- out impair of their Intellectuals, and without the exemplary miracle wrought.

wrought on a proud Heathen, only by the pride and ingratitude of a Papal Clergy, be thus turn'd a-grazing with beasts.

The Reason
why the pleas
are slighted in
the Answer of
them.

This is the sum of *Bellarmines* three Arguments, from the Indecency of the thing, and this all the Answer I think them worthy of; since his Eminency hath set up such scar-crows, and would fright us with them, let us have liberty to deride them as men would the bug-bears that Children set up; if better Arguments for the cause could (of this, or any other kind) have been produced, the learned Cardinal would have urged them, and then a better answer might have been given. But a puff will better blow away a feather than a mighty engin, and all the cost and labour would be lost that were bestow'd to bring Cannon, Spade, Mattocks and Engineers to overthrow a poor hutt, or cottage. From these pass we to the second sort of Arguments.

2. Sort of
Pleas a *Jure*
Divino.
Answer.

A *Jure Humano*.
no answered.

A *Jure Divino*, saith the Canonist, by Divine Right; but the Canonist who saith it hath the wit to let us seek the Text, for he takes not himself bound in duty to cite it, and we deserve not the kindness that he should do more than he thinks himself obliged unto: Others of the fraternity dissent and think they have reason to pretend the Immunities to be *Jure Humano*; and until they agree how the Clergy among them came by these Immunities we shall not think it breach of charity or good manners to tell them, we wish they came honestly by so rich a Commodity; certainly Christ never gave it them, nor do the more modest pretend his gift, they are content with the collation by Popes Decretals first, or next by favour of General Councils, ever since the Papal Power grew too great for Kings and Emperours; ever since the one durst not condemn, and the other was so hardy as to denounce Excommunications against infringers of the Immunities Ecclesiastical. These two will prove their Right to these Immunities in any place, and at any time where Power and Injustice are too great to be called to account: And as good Right they have to these Immunities as the Pope and Councils could give them, and I hope you will believe the Pope and his Councils would not fail to invest their sworn Vassals with power enough to disturb the Civil power, and lessen it, that the Monarchy of the Papal Church might more speedily and safely be aggrandized; they have these Priviledges indeed from the Ringleaders in the Conspiracy to strengthen it against the just Authority and Sovereignty of Princes. And now you clearly see how honestly they come by it, ask their fellows whether they be thieves?

But a third Plea is from the Favour of Princes they enjoy these Immunities. True, the more is their ingratitude and shame, they abuse that favour to the lessening of their Prince; who hath too often had many occasions given him to repent his Grant, to restrain his favour, and to teach the unthankful Clergy more duty, by requiring more. What the Prince giveth they enjoy without our envy, or complaint; let them keep within those bounds, and I will not disturb them. Finally to conclude

clude this point, now the Clergy (in all places of the world where the Prince is Christian) enjoy many considerable Immunities *Jure Humano*, which Immunities they never had Right to claim, till the Prince had Will to give; And which they may not expect to enjoy, when either abuse of them provokes the Prince to revoke them, or emergent inconveniencies perswade him to diminish or null them. What is so granted, is neither Immutable in its Constitution, nor ever intended to the publick prejudice of the Prince and State; nor can it exalt the Clergy into a state of absoluteness and non-subjection to the Prince; or if you would imagin a soft Prince should so inadvertently, and in a transport of zeal to the Clergy and Church, grant them such a Priviledg (as the *Roman* Clergy right or wrong will pretend unto) yet good Statists and best Reason will tell them, that the Grant being made to the prejudice of the Crown, it is neither good nature nor manners, nor justice to require it of their Prince, whose honour and dignity they are bound to conserve; *Errante clave*, the Infallible Decrees are null, say some *Romanists*; *Errante Sceptro*, Civil Grants to Subjects become Nullities. And such are the uncontrollable Immunities of the unsubjected *Roman* Clergy, to whom Princes had been less kind had they foreseen what use would be made of their Royal favours, and to whom they are not less equal and just, though for their Crowns and Honour more resolved and prudent, in recalling the ungovernable Ecclesiasticks to that Subjection, which they ought in equal degrees and readiness with other Subjects give unto their Prince, whether by assistances from their Estates, or by their Persons; both being, as our Thesis averreth, under the Government of the Civil or Secular Prince.

After so prolix Discourse on the positive part of our Position; I come to a briefer handling of the Negative parts of it, which was the fifth and last thing I propos'd in the method of our proceeding. And so,

1. Consect. *The highest Power and Authority Ecclesiastical, as such, is lower than the Sovereign and Supream in all Matters Civil and Secular in what man or body of men so ever it be pretended de jure to be, or vi & fraude it be found by Usurpation to be.* This follows from the former suppositions as they have been proved, and is evident enough in it self: If the Clergy as to Bodies and Estates be under the Civil Government, then it follows they are not as Clergy-men Sovereign, for he is no Sovereign in the same respect wherein he is under anothers Authority; these are inconsistent: for Sovereignty and Supremacy set the Person in whom they are, above all within the limits of his Jurisdiction; but Ecclesiastical dignity, or the holy Character, leaves the Person on whom it is impress'd, under the Subjection he was in before.

5. General.

Girolamo Grimaldi Cardinal, was born with the quality of Sovereign, as Prince of Monaco. *Il Cardin.* p. 2. l. 2. p. 151.

Giovanni Casimiro resign'd his Cap, 1648. for the Crown of Poland. *Mauritio* Son to the D. of Savoy, renounc'd for a Lady, *i. e.* Wife.

Cesar Borgia

second Cardinal, murther'd his Brother, turn'd Soldier, was made General of the Church Armies; receiv'd in dowry the Dutchy of *Valenza*; and that by Marriage he might perpetuate the Dukedom in his Family, I guess that this Duke de *Valentinois* quitted his Cardinals Cap in time of *Alexander* the 6th, who entred the Popedom 1492, and continued to 1502. Such like Metamorphosis you meet with in the Match of the Cardinal *Camillo*, Nephew to *Innocent* the 10th. An. 1655, or 1654. So Church-dignities were exchanged for Secular advantages with a Wife. Such like occasion inspir'd a Passion into *Pamphilio* towards *Donna Aldobrandina* Princess of *Rossano* and Heiress of the Family, who out-weigh'd all the Cardinals Ecclesiastick concerns, though she married not this her lover: As the Managements of Cardinal *Mazarine*, Tom. I. part. 3. p. 75, &c.

It is possible (though the case hath seldom happened) that a Sovereign Prince may be a Clergy-man, or he that hath a right to a Sovereignty may succeed in his Right after he hath-entred Holy Orders; yet the Powers are distinct, and the Civil usually most esteem'd and retained while the other is laid by; as in *Rome* it sometimes happens among the Princes of the Red Hat, when of a Cardinal they are well pleas'd to become Duke or Prince in Hereditary Principalities, descending on them by the death of the former Heirs. A Sovereignty I know is annexed to some Ecclesiastical Titles and Persons, as in *Germany* to some Bishops, and to the Arch-Bishops, Electors. But they that know their Constitutions can readily tell us, how much they owe to *Jus Humanum* for it, and how little they owe to their Holy Orders, and the Priviledg of Clergy stated, *Jure Divino*, or indeed *Jure Ecclesiastico*. And notwithstanding any such intervenient occurrence it still holds a truth, No Clergy-man as such, and in vertue of his Holy Orders is, or can be *Jure*, and of Right a Sovereign and Supream, but is still under the Secular Prince, and his Government in matters Civil.

2. Consect. Were the Pope (what his flatterers say he is, and his Infallibility confirms) the Supream Ecclesiastical Person and Head to that stupendous body of Ecclesiasticks (and were this proved his Right by a better title than ever it was, or ever it will be), yet still this cannot raise him to the dignity of Sovereign over Secular Princes or Kings.

For be the Power whatever it is for its eminency, still it is an Ecclesiastical Power, and the Person in whom it is invest'd derives it to himself not immediately and *virtute Personæ*; but *mediate & virtute officii*; or indeed *Jure Ecclesiæ concessi* by a Right granted to the Church, and by the Church to be convey'd on a fit Person; and so the Person chosen by the Church receives not what Power his boundless ambition can grasp, but what Power the Church can bestow, which hath been proved to be still a Power inferiour to the Secular Power in all Secular affairs. It is a sure Rule in all Cases, *Nihil dat quod in se non habet*. Therefore well did *Sancho* brother of *Alphonfus* the 7th. proclaims to the world the ridiculous Nothing the Pope gave him, proclaiming him, if he would conquer it, King of *Egypt*; and what his resentments were of such an idle conceit, when in requital of his Holiness bounty he commanded him to be proclaimed Caliph of *Bandis*, on the same condition of conquering

Thus *Adrian* 4th was rebuk't for his presumption between 1193 and 1197. *H. Fox's* Preface to History of Popish Treasons, &c. p. 36.

quering it. In brief, the Pope, pretended Head of the State Ecclesiastick *de facto*, is now a free Prince as he is Pope, and hath a Secular Power annexed to his Ecclesiastical Office. But if *Constantine's* Grant, and some other Princes bounty be a forgery, it is easie to say how their Holinesses came by, and how honestly they continue the possession of such Power: And if prescription of time and possession will not bar a Sovereign Prince his claim, there may arise some brisk Prince in the Empire who may start a better title to those Dominions, and reduce the Pope to the Primitive *decorum* of Bishop of the first See; requiring him to be content with what Immunities the Imperial Council shall judg fit to allow him, since in all likelihood they will be more than were ever given by Christ to St. *Peter*, and his real or pretended Successors. Let him whilst he can, retain his Temporal Sovereignty, and within his own Dominions be above all Persons in all Causes; yet this doth not flow out of his Ecclesiastick Office immediately, directly, and *per se*, as he is Bishop, which is an order wholly of different nature to Secular Power and Matters. And therefore were he Universal Bishop, yet his power would be but the power of a Bishop, that is in Spirituals; and the engin of their own making cannot draw in Temporals *in ordine ad Spiritualia*. That was, as the Huntsmans dog in his younger days, nimble and hold-fast, but the Cur is now old, and his teeth worn out, and every free Prince now will shake him off. They are weary of the cheat, and I hope will not let an Usurper *indirecte & consequenter*, take out of their hands that which God, Nature, Grace and Reason, have *directe & necessario* entrusted in their hands.

3. *Consect.* The Clergy being proved in Body and Estate as to Civil affairs under the Government of the Secular Prince; *No Clergy-man of what degree soever he be, nor any body of Clergy-men combined together, can absolve the Subjects of any Prince or free State from their Oaths of Allegiance. And if it be pretended, he or they may do so, the pretence is wicked; and if the pretended Power be executed, the Subject notwithstanding is as much bound as ever, nay somewhat more bound on this occasion, because the Prince is in an apparent danger; out of which to rescue him, every good Subject ought to contribute his assistance for his Princes safety. The Excommunication, or the menace of an approaching Excommunication from such a proud pretender, may be just reason why Princes should require renew'd assurance of their Subjects Allegiance, and why Subjects should give new instances of their constant duty; but it can be no reason why Subjects should think themselves free from their Obedience and Oaths. The condition of Princes through the multitude and weight of their affairs is of all mens the most uneasie, when it is (the most it can be) eased by a ready and universal Obedience in the Subject; but how miserable would it be on supposition that their Kingdoms were at the*

disposal of a forreigner! How unfaithful are our Historians, or how shameless hath the encroaching pride of the Pope and the Papal Clergy been! either they who write the stories of Ages past have most injuriously dealt with their own and other succeeding Ages, or the Papal power hath with might and main set it self to ruin the Regal and Imperial Power. Now what will become of the Maxim which pleaded stily for the Ecclesiastical power? 'Tis retorted thus: All Authority appointed of God, is by him entrusted with Power and Authority sufficient to conserve it self, and effect its proper ends: But if a Bishop, who is a Subject, may depose the Prince, and release the sworn Allegiance, the Power of the Prince is not sufficient to preserve it self among Subjects; If the Bishop be a forreigner, as the Pope is to all Princes, who doth excommunicate, and depose, and release Subjects, then the Princes Power is not sufficiently qualified to preserve it self against strangers and usurping enemies.

In brief; Those that are Papal Bishops, and were born Subjects, are equally with other Subjects, natural Leige-men to their Prince; for we have proved that the dignity of Bishops doth not exalt them above the condition of Subjects: Now it is certain Subjects cannot absolve their fellow Subjects; none can loose the bond which doth as much tie himself as another; nor can Rebellion acquit Rebellion in a Subject. Those Bishops who being forreigners to a Prince, are always to be watcht as suspicious, and mostly to be oppos'd as enemies, though Bishops (as Popes are accounted) can never be thought persons to be intrusted with a Power over Kings and Princes, whom they treat with no other kindness than a man doth one whom he resolveth to overthrow or humble with the first opportunity: So that as it is not in the Dignity and Office it self, to convey an uncontrollable Power to a native Subject in any case over his Sovereign, so neither is it in the Office to convey such a power to a forreigner; and both are a weakening of the Civil power to a degree of impotence that cannot defend its Subjects, or preserve it self, or attain the necessary ends of Government.

4. *Confess.* If the Dignity of the Clergy be not sufficient to advance the Clergy-man high enough above the Civil Magistrate (as hath been proved) in Civil Matters; *Then were the Pope Universal Bishop, and had he rightful Power to Excommunicate* (which yet is not proved by any of his parasites, nor yielded by any Protestant); *yet could he not deprive the Prince or King, so excommunicated, of his Dominions in part or whole.*

For in this case the Pope must act as a Bishop; and this Office, as it is a Spiritual Office, and the Rules of it are Spiritual, so the effects and ends of it are also Spiritual, and ought to keep within these limits and bounds; but now, when (after admonition and intreaties prove vain) the Universal Bishop should Excommunicate, he hath gone to the utmost that

that his Rule directs, or his Authority can enable him to; the Deposing of a King, the giving his Kingdom to any that have the hardiness to attempt, and the success to gain it; as it is wholly of a Secular nature, so it is wholly forreign to the Office of any Bishop. And it hath brought the greatest confusion, wars, bloodshed, and desolation into the Christian World; that by this we might guess from whom this usurped Power comes, since we know there have been such direful effects of it, and these effects the natural and proper effects of such unjust pretences. The Censure of the Church is an execution of a Spiritual Power, and was never appointed to leap so prodigiously high as with its foot to kick down the Crowns of Kings and free Princes; this (*transitus de genere ad genus*) skipping from a just execution of Ecclesiastical Power, into the Usurpation of a boundless Power in Affairs Secular over Princes and Kings, is the most insolent and intolerable presumption; and which gives Gods Vicegerents in Civils, a justifiable plea to hate and oppose the pride and designs of the Papal Clergy, who by this means have with a kind hand given their inferiour Clergy so happy a list, that the meanest person in Holy Orders among them, is *Jure & virtute Officii*, Stanislaus Q- a better man than his Prince, whom he exceeds as much as a man exceeds a beast, or God exceeds the Priest, if you'l believe their flatterers. *richorius.*

Amongst whom the Learned Cardinal Bellarmine (misemployed in the Office of Master of the Ceremonies) does set Kings below Bishops, *De Pontifice lib. 1. cap. 7.* Priests, and Deacons too: so glorious is this Roman Church, that Kings like our drossie bodies, sons of the earth, fall short of the Church-men as much as the body falls short of the Soul. Bravely spoken! what pity is it that every Ecclesiastical Sacred Head hath not an estate and revenues to maintain his Grandeur as much in Magnificence above Kings as their Office hath set them: if such transcendent Honour be the effect of Papal Ordination, our King and Parliament have reason to continue the Prohibition against the Subjects of this Kingdom going beyond the Seas to take Orders. It is not safe to have Subjects so advanced, and I do not wonder that Rebellion in a Clergy-man of the Roman Mint is become so small a Peccadillo, or rather thin'd into an invisible mist, and though the Priest be visible in the Rebellion and Treason, neither the Traytor, nor Rebel can be seen or found: alas good men and precious! the world unkindly owneth not their Excellency, and they by natural propensities (flowing from their constitutive principles) do innocently aspire to a state equal to their Orders, which blind Hereticks nick-name Rebellion, and jealous Princes brand as Treason; and so the innocent Clergy (when they have the luck to be taken in it) are condemned and executed for Traytors. But the comfort is the enlightened Consistory at Rome can see and distinguish the Clergy-man *quoad substantiam*, innocent, nay meritorious; it is the Prince or State which mistook him, and under the separate accidents and form of a Traytor bloodily

bloodily cut off the mans head. Dull Souls that will not be informed in the mystery of Transubstantiating Rebels as well as bread. Well, howe'er it is that their Clergy must being judged by a severe Secular Judge (*sub forma perduellium*) in the unhandsome dress of Traytors; yet by the most indulgent hands of his *Roman* Holiness, the World shall be informed of the error, and in compensation for the hard usage they met with be made as substantial and real Saints as ever the Pope made any: so may *Garnet* be executed at *Tyburn*, but be *St. Henry* at *Rome*; and those that were *Beautifens* and set the World on fire, and threatened more prodigious Calamities to the World, are made Stars of great light and glory in the *Roman* heaven. Such unintelligible Doctrines, and such intolerable practices have attended the licentious frisk of the Bishop of *Rome* when *πρότερον*, he excommunicates and makes Kings and Princes his prey, and *ὑποδύσει* *λεων*, seizeth and devoureth the prey; and is thus become *μεωπτε χιμαιρα*, *Chimera* real: Which may not be too severely imputed to levity in me, since really I could not tell what to make of him; for in his Fore-parts I find the mouth of a Man, and hear the words of a Father in admonitions, but when I have looked down to the feet I see the Paws of a Lion, and his Talons always bloody with the prey under his feet torn to pieces, or deeply wounded; So I clearly see him in the Prospect history gives of him, their own Glossary represents him not much more to his advantage:

Many have compar'd it (Rome) to the Monky that hugs its young ones to death, for just so do the

Church-men who embrace every one with a Paternal affection, but in those embraces they that receive them find their ruin. *Il Nipotismo*, par. I. l. I. p. 32.

Clement. Proem.
Gloss. v. Papa.

Papa stupor Mundi-----

Nec Deus es, nec homo, quasi neuter es inter utrumque.

So of a well-constituted Officer as Christ and Peter left him (if you'll believe them) he is made a mishapen Monster, and the wonder of the World; and now in the unjust claim of the Father of Lies draws deceived profelytes to worship him, shewing them the Kingdoms of the World, and the Glory of them, with promise that as they merit by their good service to the Apostolick-Chair, he will give them a right, and when they can they may take possession of his gift, for unto him pertain all these things, and to whomsoever he will he giveth them; and I assure you it is neither *Jure Divino*, nor *Jure Humano*, but *quasi Neutro*, i.e. *Jure Inferno*.

5. *Consect.* Hence it follows, That Emperours, Kings, Princes and free States, are not Rightful Subjects to the Pope, or to any other single Ecclesiastical Person, nor to any body of the Clergy-men, neither in Synods with Presbyterians, or in Convocations with Episcopal, nor in pretended General Councils with Papists, nor in the Consistory or Conclave with the Cardinals and Pope collected together. He that designed the Office in his Church

Church hath left these Officers under the Obedience of the Civil Magistrate in all Civil Matters which concern the Government of their Estates and Persons. In which cause so many have appeared, and so clearly vindicated the Royal Prerogatives and Sovereign Authority of Kings; not only Protestant Writers, but among the Papists themselves many very learned Pens have asserted the Supream and Sovereign Power of free States, that it is become in most Countrys a ridiculous Claim the Pope maketh, or any of his Vassals flatter him with, That their Prince is a Vassal and Subject to his Holiness; and that is now become as long since it should have been, a Trayterous Tenet and worthy of death, which was in the height of Popish Tyranny a necessary principle of the Papal Religion. How ill-natur'd soever the Children of that Church have proved, abridging their Father of his Power; I will not now enquire; but might a stranger to the Father and his Children speak a few words indifferently to both, I would adventure to say, it had been justice and honesty in the Ghostly Father to have left his Children the Power and Authority which he gave them, who said the Magistrates were gods, and then the Primitive kindness of Kings like *Constantine* the Great would have ensured the favours and observances of Princes to the Clergy: But since the Papal Infallibility hath almost reduced this affair to this hard choice, Either that we must have no Pope and Exempt Clergy, or no free and Sovereign Monarchs, I am easily inclined to believe, the Secular Princes will rather chuse that the Ecclesiasticks should part with their Immunities than that Princes should part with their Sovereignty; and how great a part of the Christian World would joyn with them is not hard to guess. The Sovereignty of the Pope is an Article of the Popes political Faith, but I verily think he hath more wit and care of his Soul than to make it an article of his Christian Faith: And if he will venture his soul, and the souls of his sheep on gage that he may keep his present Grandeur, I am well satisfied that he is not my shepherd; and I am not a little glad that there are so many Papists that do not make this an Article of their Faith. Free States and Kingdoms do know that Supream Sovereignty is not essential to Christs Vicar, *Peters* Successor, or Universal Bishop, that Exemptions of the Clergy are favours of the Prince and not natural and necessary properties of the Office; and which is ill news for *Rome*, have well considered the distinction between being of Communion with the Church Catholick, and with the Pope as first Bishop, and being in subjection to the Pope as to a Sovereign. They now are skilled in the Method of observing the Church, and opposing the Court of *Rome*. And though I know not what may (*per Possibile*) come to pass among men, and what King may make himself against all Right a Subject to the Pope, yet I am sure no King or Emperour can ever be rightfully the subject of the Pope who at most is but Bishop of the first See.