

Mercurius Britannicus.

If any man can bring any tale or tidings of a wilfull King, which hath gone astray these four years from his Parliament, with a Guilty Conscience, Bloody Hands, a Heart full of broken Vowes and Protestations, &c. P. 825.

Printed by
Mr. Baxters
Printer. 1645.

V. Pamphlets tending manifestly to stir up the People against his Sacred Majesty, and the Establish'd Government.

God's Loud Call.

Oh! Worm! Darest thou be so impudent to put thy self in Gods stead, to meddle with mens Consciences, and Lord it in Religious Concerns?

Printed by
Simon Dover,
1661.
P. 17.

Smeetyminus Redivivus.

The Plastring or Palliating of these Rotten Members [*Bishops*] will be a greater Dishonour to the Nation and Church, than their Cutting off, and the Personal Acts of These Sons of *Belial*, being Conniv'd at, become National Sins.

The Root of these Disorders, (*viz.*) Popery, Superstition, Arminianism, and Prophaneness) proceedeth from the Bishops, and their Adherents [whereof the King is One.]

Printed for J.
Rothwell, 1660.
Publish'd by
Mr. Thomas
Manton, since
his Majesties
Return.
P. 58.

P. 66.

*A Sermon Preached at Aldermanbury-Church,
Dec. 28. 1662.*

The tongue of Man is not able to express the Misery of that Nation, where the Ark of God is Taken [P. 8.]: and the

Deliver'd by
Mr. Edmund
Calamy.

the Ark of God is in This Instant in Danger of being Lost,
 [P. 11.] We have lost our first Love to the Gospel, and
 to the Ordinances, [*ibid.*] Abundance of Priests and Jesuits
 are in the midst of us, and Popery preach'd amongst us.
 P. 13. But where are our old *Eli's* now? our *Moses's*? our *Elijahs*?
 our *Uriahs*?

Printed by Jo.
 Hayes, 1662.
 The Author
 Edw. Bagshaw.
 P. 8.

Animadversions upon the Bishop of Worcesters Letter.

We may lawfully refuse to submit unto such Impositions
 as God hath no where commanded.

1661. Begun
 by Tho. Creech
 for Giles Cal-
 vert and Tho.
 Brewster, and
 finish'd by the
 Order of Cal-
 verts wife,
 whilst her
 husband was a
 Prisoner for
 that very book.
 To the Reader.

The Year of Prodigies.

Amongst the Hellish rout of Prophane and ungodly men,
 let especially the Oppressors and Persecutors of the True
 Church look to themselves, when the hand of the Lord, in
 strange Signs and Wonders is lifted up among them; for
 ----- The final overthrow of *Pharaoh* and the *Ægyptians*
 (those cruel Task-masters and Oppressors of the *Israe-*
lites) did bear date not long after the Wonderfull and
 Prodigious Signs which the Lord had shewn in the midst
 of them.

Printed for
 Tho. Parkhurst,
 1662.
 Preached by
 Thomas Watson,
 calculated for
 Corbet and
 Barkstead, and
 Dated upon the
 very day where-
 on they were
 Executed, Apr.
 19. 1662.
 P. 39.

A Word of Comfort.

The Church of God appears in his Cause, and loseth
 Bloud in his Quarrel. [P. 8.]

Is not God upon the Threshold of his Temple, ready
 to fly? Are not the shadowes of the Evening stretched
 out? and may we not fear the Sun-setting of the Gos-
 pel? P. 30.

The Lord may let his Church be a while under
 Hatches, to punish her Security, and to awaken her out
 of her slumbering fits; yet surely the storm will not
 continue long.

A Dis-

A Dispute against the English-Popish Ceremonies.

Be not deceiv'd to think that they who so eagerly press this Course of Conformity, have any such end as Gods Glory, or the Good of his Church, and Profit of Religion. P. 9.

Let not the Pretence of Peace, and Unity, cool your fervour, or make you spare to oppose your selves, unto those Idle and Idolized Ceremonies, against which we dispute. P. 11.

This Book was formerly condemned to be burnt by the Common Hangman, and Reprinted since his Majesties Return.

Instances of Pamphlets containing Treasonous and Seditious POSITIONS.

V I. The Three Estates are Co-ordinate, and the King one of the Three Estates.

Baxters Holy Common-Wealth.

The Sovereignty here among us is in King, Lords, and Commons. P. 72.

Printed for Francis Tyton, 1659.

Parliament-Physick for a Sin-sick Nation.

The Government of England is a Mixt Monarchy, and Govern'd by the Major part of the Three Estates Assembled in Parliament.

P. 111.

Ahabs Fall, with a Post-script to Dr. Fern.

The Houses are not only Requisite to the Acting of the Power of making Lawes, but Co-ordinate with his Majesty in the very Power of Acting.


P. 42.

D

VII. The

VII. The Sovereignty is in the Two Houses, in
Case of Necessity.

1662. *The Peoples Cause stated, in the [Pretended] Tryal of Sir
Henry Vane.*

P. 112. The Delegates of the People in the House of Commons,
and the Commissioners on the Kings Behalf in the House
of Peers, concurring; do very far bind the King, if not
P. 113. wholly.---And when These cannot Agree, but break one
from another, the Commons in Parliament Assembled,
 are, *ex Officio*, the Keepers of the Libertys of the Nati-
on, and Righteous Possessors, and Defenders of it againt
all Usurpers and Usurpations whatsoever.

Observations upon his Majesties Answers, &c.

P. 45. Parliaments may Judg of Publique Necessity without
the King (if Deserted by the King) and are to be ac-
compted, by Virtue of Representation, as the whole Body
of the State.

Right and Might well met.

P. 7. An. 1648. Whensoever a King or other Superiour Authority cre-
ates an Inferiour, they Invest it with a Legitimacy of Ma-
gistratical Power to punish Themselves also, in Case they
prove Evill-Doers.

VIII. The

VIII. The Power of the King is but Fiduciary ;
and the Duty of the Subjects but Condi-
tional.

Jus Populi.

Princes Derive their Power and Prerogative from the
People, and have their Investitures meerly for the Peo-
ples Benefit. P. 1. An. 1644.

Vindicia contra Tyrannos.

If the Prince fail in his Promise, the People are Exempt
from their Obedience, the Contract is made Voyd, and
the Right of Obligation is of no Force---It is therefore
permitted to the Officers of a Kingdome, either All or
some good Number of them, to suppress a Tyrant. P. 120.
An. 1648.
P. 121.

The Tenure of Kings and Magistrates --- 1649.

---Proving that it is Lawful for any who have the Pow-
er, to call to Account a Tyrant, or wicked King, and af-
ter due Conviction to depose, and put him to Death, if
the ordinary Magistrate have Neglected, or Deny'd to
doe it. The Title.

IX. The King is *Singulis Major, Universis Minor.*

*A Declaration of the Lords and Commons touching the Four
Bills.* March 13.
1647.

It is the Kings Duty to pass all such Lawes, as Both
D 2 Houses

Houses shall Judg good for the Kingdom: Upon a supposition, that they are good, which by them are Judg'd such.

De Monarchiâ Absolutâ.

The Author
Edward Bagshaw, 1659.

Detrahere Indigno Magistratum etsi Privati non debeant; Populus tamen Univerfus qui possit, nemo, opinor, dubitabit. P. 9.

Thorps Charge to the Grand-Jury at York, March 20. 1648.

Kings are Accountable to the People, I do not mean to the Diffused humours and fancyes of particular men in their single and natural Capacities; but to the People in their Politique Constitution, lawfully Assembled by their Representative. P. 3. 1649.

X. The Kings Person may be Resisted but not His Authority.

Lex Rex.

Printed by a
Person in Office and Employment.
Feb. 7. 1644.

He that Resisteth the King, commanding in the Lord, Resisteth the Ordinance of God. But he who Resisteth the King, Commanding that which is against God, Resisteth no Ordinance of God; but an Ordinance of Sin and Sathan. P. 267.

XI. The

XI. The King has no Power to Impose in Ecclesiastical Affairs.

The Great Question.

1660.
The Author
Edw. Bigshaw.
P. 2.

I hold it utterly Unlawful for any Christian Magistrate to Impose the Use of Surplices in Preaching, Kneeling at the Sacrament, Set-Forms of Prayer, &c.

When once Humane Inventions become Impositions, and lay a Necessity upon that which God hath left Free; then may we lawfully Reject them, as Plants of Mans setting, and not of Gods owning.

P. 5.

XII. The Parliament of November 3^d. 1640. is not yet Dissolv'd.

The Peoples Cause Stated in the [Pretended] Tryall of Sir Henry Vane. 1662.

How and when the Dissolution of the Long-Parliament (according to Law) hath been made, is yet Unascertain'd, and not particularly Declar'd: by reason whereof, (and by what hath been before shew'd) the state of the Case on the Subjects part, is much altered, as to the Matter of Right, and the Usurpation is now on the other hand.

P. III.


XIII. The Warre Rais'd in 1642. in the Name of King and Parliament was Lawful.

Printed for
Francis Tyton,
1659.

Baxters Holy Common-Wealth.

P. 486.

I cannot see that I was mistaken in the main Cause, nor dare I repent of it, nor forbear the same, if it were to do again in the same State of things ——— And my Judgment tells me, that if I should do otherwise, I should be Guilty of Treason or Disloyalty against the Sovereign Power of the Land, and of Perfidiousness to the Common-Wealth.

1660. Since his
Majesties Re-
turn.

Preached by
Robert Dowg-
lass, at Scoon,
Jan. 1. 1651.

Pag. 10.

*The Form and Order of the Coronation of Charles the Se-
cond.*

A King abusing his Power to the overthrow of Religi-
on Lawes and Liberties----may be Controll'd and Op-
pos'd. This may serve to Justifie the Proceedings of this
Kingdome against the Late King, who in an Hostile way
set himself to overthrow Religion, Parliaments, Lawes,
and Liberties.

XIV. The Covenant is Binding.

Printed by Tho.
Creek for Giles
Calvert, Tho.
Brewster and
Livewel Chap-
man, since his
Majesties Re-
turn,

A Phoenix: or, the Solemn League and Covenant.

The breaking of our National Covenant is a Sin in Fo-
lio, a Sin of a high Nature---a greater sin, then a sin a-
gainst a Commandement, or against an Ordinance, a sin
not only of Disobedience, but of Perjury, a sin of Inju-
stice

stice, a spiritual Adultery, a sin of Sacrilege, a sin of great unkindness. P. 158. A Sermon of Mr. Calamys.

Two Papers of Proposals.

1661. from the Presbyterian Ministers.

The Covenant does undoubtedly Bind us to forbear our own Consent to those Luxuriances of Church-Government which we there Renounced, and for which no Divine Institution can be pretended.

P. 13.

A Short Survey of the Grand Case, &c.

1663. Printed by Henry Bridges.

Some say, the Terms are Dubious, if not false, it being indefinitely asserted, **It is not lawful to take Arms against the King on any Pretence whatsoever, --- Although Our King is, and WE HOPE, EVER WILL BE,** so qualified, that in reference to *Him*, it *MAY* be true; yet it is not *Impossible* for a King *Regis Personam exuere*, in a *Natural*, or *MORAL Madness*, or Phrensie, to turn Tyrant, yea Beast, Waiving his Royal Place, violently, extrajudicially, extramagisterially to assault his Subject, as *Saul* did *David*: In this Case, men think Nature doth Dictate it, and Scripture doth justifie a Man, *se defendendo vim vi repellere*, to take Arms, though by rallying the Men of *Belial*, not to *Rest*, yet to *Restreyn*, the King, and those who are Commissioned by him, until they make good their Retreat, and more safely run out of his reach.

P. 21.



A Treasonous Position.

As the Presbyterians restreyn'd the Late King.

To some it soundeth harsh to declare it a Trayterous Position to take Arms by the Kings Authority, against the Kings Person, or those Commissioned by him--- for if some Ruffians should (which God defend) seize the Person of a King, he is a *Man*, from whom Commissions may be by fear extorted, whereby true Loyalty must be on their side, and Treason on the part of the Kings Council, Kindred, and Ministers of State, if Arming against his *Person*, by his *Authority* though on such a Pretence.

P. 22.

Instances of Treasonous, &c.

P. 23.

The Convincing Demonstration that there lyes no Obligation on me, nor any other Person, from the Oath commonly called the Solemn League and Covenant, is a Knot cut by the Sword of Authority, whilst it cannot be loosed by Religious Reason.

P. 47.

We are Expectants of God's avengement of the Covenant now it hath been taken, ----- *We do not, cannot, will not Declare, the Covenant doth not oblige me or any other person to endeavour our alteration of the Government in the Church.*

I could add *More, and Worse* to the *Instances* already given, but these shall suffice for a Taste. The Question is now, By whom, *the Government and Oversight of the Press is to be undertaken*, and the Contest lyes at present betwixt the *Booksellers and Printers*, which although Concorporate by an Ancient Grant, are in this point become Competitors; and since they have divided Themselves, they shall be here likewise distinctly considered.

The Stationers are not to be entrusted with the care of the Press, for These following Reasons.

Reasons why the Stationers are not to be Entrusted with the Care of the Press.

First, They are both *Parties and Judges*; for diverse of them have brought up Servants to the Mystery of Printing which they still retain in Dependence: Others again are both *Printers and Stationers, Themselves*; so that they are Entrusted (effectually) to *search for their own Copies; to Destroy their own Interests; to Prosecute their own Agents, and to Punish Themselves*: for they are the Principal *Authors* of those Mischiefs which they pretend now to *Redress*, and the very *Persons* against whom the *Penalties* of this Intended Regulation are chiefly *Levell'd*.

2ly. It is not Adviseable to Rely upon the *Honesty* of People (if it may be Avoided) where That *Honesty* is to their *Loss*: Especially if they be such as have already given Proof that they prefer their *Private Gayn* before the

Well-

Well-fare of the Publique : Which has been the Stationer's case throughout our Late Troubles, some few Excepted, whose Integrity deserves Encouragement.

3ly. In this Trust, they have not only the *Temptation of Profit*, to divert them from their Duty (a fair part of their stock lying in *Seditious Ware*) but the *Means of Transgressing* with great *Privacy*, and *Safety* : for, make *Them Overseers of the Press*, and the *Printers* become totally at *their Devotion*; so that the whole Trade passes through the fingers of their own Creatures, which, upon the matter, concludes rather in a *Combination*, than a *Remedy*.

4ly. It seems a little too much to *Reward* the *Abusers* of the Press with the *Credit* of *Superintending* it : upon a Confidence that They that *Destroy'd* the *Last King* for their *Benefit*, will now make it their business to *Preserve This* to their *Loss*.

5ly. It will cause a great *Disappointment* of *Searches*, when the Persons most concern'd shall have it in their Power to spoyl all, by *Notices*, *Partiality*, or *Delay*.

6ly. As the *Effectual Regulation* of the Press is not at all the *Stationers Interest*, so is it strongly to be suspected that it is as little their *Aym* : for not *One Person* has been *Fin'd*, and but *one Prosecuted*, (as is credibly *Affirm'd*) since the *Late Act*, notwithstanding so much *Treason* and *Sedition* Printed and disperst since That time.

7ly. It is enjoyn'd by the *Late Act* that no *Man* shall be *Admitted* to be a *Master-Printer*, untill They who were at that time *Actually Master-Printers*, shall be by *Death* or otherwise reduc'd to the *Number of Twenty* : which Provision notwithstanding, Several Persons have since that time been suffer'd to set up *Masters*; which gives to understand that the reducing of the Presses to a *Limited Number* is not altogether the *Stationers Purpose*.

The Printers are not to be Entrusted with the Government of the Press.

Not the Printers,

First, All the Arguments already Objected against the *Stationers* hold good also against the *Printers*, but not fully so strong. That is, they are both *Partyes*, and *Judges*. *Self-ended*, (upon Experiment) under the *Temptation* of *Profit*. *Offenders* as well as the *Stationers*; and in all *Abuses* of the *Presse*, confederate with them. Beside, They will have the same Influence upon *Searches*; and they have probably as little *Stomack* to a *Regulation*, as the other. 'Tis true; the *Printers Interest* is not so *Great* as the *Stationers*; for where *Hee* gets (it may be) 20 or 25 in the 100 for *Printing* an *Unlawful Book*, the *Other Doubles*, nay many times, *Trebles* his *Mony* by *selling* it: Yet nevertheless the *Printer's Benefit* lyes at stake too.

2dly. It were a hard matter to Pick out *Twenty Master-Printers*, who are both *Free of the Trade*, of *Ability* to *Manage* it, and of *Integrity* to be *Entrusted* with it: Most of the *Honestest* sort being *impoverished* by the *Late Times*, & the great *business* of the *Press* being *Engross'd* by *Oliver's Creatures*.

although Incorporated;

But, They Propose to Undertake the Work upon Condition to be *Incorporate*. That is; to be *Disengaged* from the *Company of Stationers*, and to be *made a Society* by *Themselves*. It may be Answered that it would be with *Them*, as 'tis with *Other Incorporate Societies*: They would be True to the *Publique*, so far as stands with the *Particular Good* of the *Company*. But Evidently *Their Gain* lyes the *other way*: and for a State to Erect a *Corporation* that shall bring so great a *Danger* upon the *Publique*, and not one *Peny* into the *Treasury*, to Ballance the *Hazzard*, were a Proceeding not ordinary.

or giving Security.

But they Offer to give *Security*, and to be *Lyable* to *Fines*. Let That be done, Whether they be *Incorporate*, or no. In case of *Failer*, they'll be content to lose their *Priviledges*. What signifies That, but only a *Stronger Obligation* to a

Closer

Clofer Confederacy? 'Tis True, The Printers in a Distinct and Regulated Society may do some good as to the General Business of Printing, and within the Sphere of that Particular Profession: but the *Question is Here*, how to Prevent a *Publique Mischief*, not how to Promote a *Private Trade*. But are not Printers the fittest Instruments in Searches? They are, without Dispute, *Necessary Assistants*, either for Retriving Conceal'd Pamphlets, or for Examination of work in the Mettle, but whether it be either for the Honour, or Safety, of the *Publique*, to Place so great a Trust in the Hands of Persons of that *Quality*, and *Interest*, is submitted to better Judgments.

To Conclude; both *Printers*, and *Stationers*, under Colour of Offering a Service to the *Publique*, do Effectually but Design *One upon another*. The *Printers* would beat down the *Book-selling Trade*, by Menaging the *Press* as Themselves please, and by working upon their own Copies: The *Stationers*, on the other side, They would Subject the *Printers* to be absolutely *Their Slaves*; which they have Effected in a Large Measure already, by so encreasing the Number, that the One Half must either play the *Knaves*, or *Starve*.

The *Expedient* for *This*, must be some way to Disengage the *Printers* from that Servile and Mercenary Dependence upon the *Stationers*, unto which they are at present subjected. The True State of the Business being as follows.

The Dependence of the Printers upon the Stationers is Dangerous.

First, The Number of *Master-Printers* is computed to be about 60. whereas 20. or 24. would Dispatch all the Honest work of the Nation.

2dly. These *Sixty Master-Printers* have above 100 *Apprentices* (That is; at least 20 more then they ought to have by the Law.)

3dly, There are, beside *Aliens*, and those that are Free of other Trades, at least 150 *Journey-Men*, of which Number, at least 30. are superfluous; to which 30. there will be added about 36. more, beside above 50. *Supernumerary Apprentices*, upon the Reduction of the *Master-Printers* to 24. So that upon the whole Reckoning, there will be left a Matter

Considerations and Proposals

of 60. *Journy-men*, and 50. *Apprentices*, to Provide for, a part of which Charge might very reasonably be laid upon those that either Bound or Took any of the said Number, as *Apprentices*, contrary to the Limitation set by Authority.

These *Supernumerary Printers* were at first Introduced by the *Book-sellers*, as a sure way to bring them both to their *Prices*, and *Purposes*; for the Number being greater then could honestly Live upon the Trade, the *Printers* were Enforc'd either to Print *Treason*, or *Sedition*, if the *Stationer* Offered it, or to want *Lawful Work*, by which *Necessity* on the *one* side, and *Power* on the *other*, the Combination became exceeding Dangerous, and so it still Continues; but how to Dissolve it, whether by barely *Dis-incorporating* the *Company of Stationers*, and subjecting the *Printers* to Rules *apart*, and by *Themselves*; or by Making them *Two Distinct Companies*, I do not Meddle.

This only may be Offer'd, that in Case Those *Privileges* and *Benefits* should be Granted, to both *Stationers*, and *Printers*, which they themselves desire in point of *Trade*; yet in regard that *several Interests* are Concern'd, That of the *Kingdom* on the *one* side, and only That of the *Companies* on the *other*; It is but reason that there should be *several Superior-intending Powers*, and that the *smaller Interest* should give place, and be *Subordinate* to the *Greater*: That is, The *Master*, and *Wardens*, to Menage the Business of their *Respective Trade*, but withall, to be Subjected to some *Superior Officer*, that should over-look them *Both* on behalf of the *Publique*.

Let the care of
Printing be
Committed to
Six Surveighers
of the Press.

As the *Powers of Licencing Books*, are by the Late Act vested in *several Persons*, with regard to the *several Subjects* Those Books treat of; so may there likewise be *several Agents* Authoris'd and Appointed for the Care of the Press, touching These *several Particulars*, under the *Name*, and *Title of Surveyors of the Press*: and every *distinct Surveyor* to keep himself strictly within the Limits of his *own Province*. As for Example.

First,

First, The *Lord Chancellor*, or *Lord Keeper* of the Great Seal of *England* for the time being, the *Lords Chief Justices*, and *Lord Chief Baron* for the time being, or One or More of them, are specially Authoris'd to License, by *Themselves*, or by their *Substitutes*, all Books concerning the *Common Laws* of This Kingdom. One for Law.

Let there be one Surveigher of the Press Constituted peculiarly for That Subject.

2dly. All Books of *Divinity*, *Physique*, *Philosophy*, or whatsoever other *Science*, or *Art*, are to be Licens'd by the *Lord Archbishop* of *Canterbury*, and *Lord Bishop* of *London*, for the time being, or one of them, or by their, or one of Their Appointments, or by either one of the *Chancellours*, or *Vice-Chancellours* of either of the *Universities*, for the time being. Three for Divinity, Physique, &c. i. e. One for each University and the Third for London, &c.

Let Three Other Surveighers of the Press be likewise Authorized for These Particulars.

3dly. All Books concerning *Heraldry*, *Titles of Honour*, and *Arms*, or Concerning the Office of *Earl-Marshal*, are to be Licens'd by the *Earl-Marshal* for the time being; or in case there shall not then be an *Earl-Marshal*, by the *Three Kings of Arms* or any *Two* of them, whereof *Garter* to be One. One for Heraldry, &c.

This is to be the Subject of Another Surveigher's Care.

4thly. Books of *History*, *Politiques*, *State-Affairs*, and all other *Miscellanies*, or *Treatises*, not comprehended under the Powers before-mentioned, fall under the Jurisdiction of the *Principal Secretaries of State*, to be Allow'd by *Themselves*, or one of them, or by their, or one of their Appointments. and Another for State-Affairs, &c.

The Care of the Press concerning These Particulars may be another Surveighers Business. So that *six Persons* may do the whole work, with good Order, and Security.

Three *Substitutes* for the *Bishops*; and *Chancellours*, and One a piece for the *Rest*.

A word now touching the *Encouragements* of these Officers; and Then concerning *Penalties* to be Inflicted upon *Offenders*, and *Rewards* to be Granted to *Enformers*.

For Encouragement there must be Benefit and Power.

The Employment being Troublesome and Chargeable.

The *Inward Motive* to all *Publique* and *Honourable Actions* must be taken for granted, to be a Principle of *Loyalty*, and *Justice*: but the *Question* is here concerning *Outward Encouragements* to *This Particular Charge*. There must be *Benefit*, and *Power*. *Benefit*; that a man may Live *Honestly* upon the *Employment*: and *Power*; for the *Credit*, and *Execution* of the *Trust*.

The *Benefit* must arise partly from some *Certain*, and *standing Fee*; and in *Part*, from *Accessory*, and *Contingent Advantages*, which will be but *Few*, and *Small*, in Proportion to the *Trouble* and *Charge* of the *Employment*: for there must be, *First*; *A Constant Attendance*: and a *Dayly Labour* in hunting out, and over-looking *Books*, and *Presses*: and *Secondly*, *A Continual Expense*, in the *Enterteinment* of Instruments for *Discovery*, and *Intelligence*; which being deducted out of the *Pittances* of *Licences*, and *Forfeitures*, will leave the *Surveigher* a very *small Proportion* for his *Peys*.

The next thing is a *Power* to *Execute*; without which, the *Law* is *Dead*, and the *Officer* *Ridiculous*.

Now concerning Penalties and Rewards.

The Inconvenience of small Penalties,

and Rewards.

1. The *Gayn* of Printing some *Books*, is *Ten times Greater*, if they *Escape*, then the *Loss*, if they be *Taken*: so that the *Damage* bearing such a disproportion to the *Profit*, is rather an *Allurement* to *Offend*, then a *Discouragement*.

2. As the *Punishment* is too small, for the *Offender*; so is the *Reward* also, for the *Enformer*: for reckon the *Time*, *Trouble*, and *Money*, which it shall cost the *Prosecutour* to Recover his *Allotment*, he shall sit down at last a *Losser* by the *Bargain*: and more then That, he loses his *Credit*, and *Employment*, over and Above, as a *Betrayer* of his *Fellows*

lows; so great is the Power and Confidence of the Delinquent Party.

The way to help This, is, to Augment both the Punishment, and the Reward; and to Provide that the Inflicting of the One, and the Obteyning of the Other, may be both Easie, and Certain: for to Impose a Penalty, and to leave the way of Raising it, so Tedious, and Difficult, as in This Case hitherto it is; amounts to no more then This: If the Enformer will spend Ten Pound 'tis possible he may Recover Five: and so the Prosecutor must Impose a greater Penalty upon Himself, then the Law does upon the Offender; or Else all comes to Nothing.

Which in Cases of Publique Concern ought to be Deep upon the Delinquent and the Reward Certain and Considerable to the Enformer.

An Expedient for this Inconvenience is highly Necessary; and Why May not the Oath of One Credible Witness or More, before a Master of the Chancery, or a Justice of the Peace, serve for a Conviction. Especially the Person Accused being Left at Liberty before such Oath taken, either to Appeal to the Privy-Council, or to abide the Decision.

An Expedient for the Quick and Easie getting of the Penalty.

Now to the several Sorts of Penalties, and to the Application of them.

The Ordinary Penalties I find to be These; Death, Mutilation, Imprisonment, Banishment, Corporal Peyns, Disgrace, Pecuniary Mulcts: which Penalties are to be Apply'd with regard to the Quality of the Offence, and to the Condition of the Delinquent.

Penalties

The Offence is either Blasphemy, Heresie, Schism, Treason, Sediton, Scandl', or Contempt of Authority.

Offences.

The Delinquents are the Advisers, Authors, Compilers, Writers, Printers, Correcters, Stitchers, and Binders of unlawful Books and Pamphlets: together with all Publishers, Dispersers and Concealers of them in General: and all Stationers, Posts, Hackny-Coachmen, Carryers, Boat-men, Mariners, Hawkers, Mercury-Women, Pedlers, and Ballad-Singers so offending, in Particular.

Delinquents.

Penalties

Penalties of *Disgrace* ordinarily in Practice are Many, and more may be Added.

Penalties of
Disgrace.

Pillory, Stocks, Whipping, Carting, Stigmatizing, Disablement to bear Office, or Testimony. Publique Recantation, standing under the Gallows with a Rope about the Neck, at a Publique Execution. Disfranchisement (if Free-men) Casting (if Souldiers), Degrading (if Persons of Condition), Wearing some Badge of Infamy: Condemnation to Work either in Mines, Plantations, or Houses of Correction.

Pecuniary
Multa.

Under the Head of *Pecuniary Mults*, are Comprehended, *Forfeitures, Confiscations, Loss of any Beneficial Office, or Employment, Incapacity to hold or enjoy any: and Finally, all Damages accruing, and Impos'd, as a Punishment for some Offence.*

Touching the *Other Penalties* before-mention'd, it suffices only to have Nam'd them, and so to Proceed to the *Application* of them, with respect to the *Crime*, and to the *Offender*.

The *Penalty* ought to bear Proportion to the *Malice*, and *Influence* of the *Offence*, but with respect to the *Offender* too: for the *same Punishment* (unless it be *Death* it self) is not the *same Thing* to *several Persons*; and it may be proper enough to Punish *One Man* in his *Purse*, *Another* in his *Credit*; a *Third* in his *Body*, and All for the same *Offence*.

The *Grand Delinquents* are, the *Authors* or *Compilers*, (which I reckon as all One) the *Printers*, and *Stationers*.

The Authors.

For the *Authors*, nothing can be too *Severe*, that stands with *Humanity*, and *Conscience*. First, 'tis the *Way* to cut off the *Fountain* of our *Troubles*. 2^{dly}. There are not many of them in an *Age*, and so the *less work* to do.

Printers and
Stationers to
be severely Pu-
nished.

The *Printer*, and *Stationer*, come next, who beside the *Common Penalties* of *Mony*, *Loss of Copies*, or *Printing-Materials*, may be Subjected to These further *Punishments*.

Let them *Forfeit* the *Best Copy* they have, at the *Choice* of that *Surveigher* of the *Press*, under whose *Cognifance* the *Offence* lyes; the *Profit* whereof the said *Officer* shall see

See Thus Distributed One Third to the King, a Second to the Enformer, reserving the Remainder to himself.

In some Cases, they may be condemn'd to wear some visible Badge, or *Marque* of Ignominy, as a *Halter* instead of a *Hat-band*, one Stocking *Blew*, and another *Red*; a *Blew Bonnet* with a *Red T* or *S.* upon it, to Denote the Crime to be Either *Treason*, or *Sedition*; and if at any time, the Person so Condemn'd, shall be found without the said *Badge*, or *Marque*, During the time of his Obligation to wear it, let him Incurr some further *Penalty*, Provided only, that if within the said time, he shall discover and seize, or cause to be Seized any *Author*, *Printer*, or *Stationer*, Liable at the time of That *Discovery* and *Seizure* to be Proceeded against, for the Matter of *Treasonous*, or *Seditious Pamphlets*, the Offender aforesaid shall from the time of that *Discovery* be Discharg'd from wearing it any Longer.

This Proposal may seem *Phantastique* at first sight; but certainly there are *Many Men* who had rather suffer any other *Punishment* than be made *Publiquely Ridiculous*.

It is not Needful here to run through every *Particular*, and to Direct, in What *Manner*, and to What *Degree*, These, and Other Offenders in the like kind, shall be Punish'd, so as to *Limit*, and *Appropriate*, the *Punishment*: but it shall suffice, having Specifi'd the several Sorts of Offenders, and Offences; to have laid down likewise the several *Species* of *Penalties*, Sortable to every Man's *Condition*, and *Crime*.

Concerning *Rewards*, something is said already, and I shall only Add for a *Conclusion*, that they are every jot as *Necessary* as *Punishments*; and ought to be *various*, according to the Several *Needs*, *Tempers*, and *Qualities* of the Persons upon whom they are to be *Conferr'd*. *Money* is a *Reward* for *One*; *Honour* for *Another*: and either of these *Misplac'd*, would appear rather a *Mockery*, than a *Benefit*.

The End.

Commissarius...

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