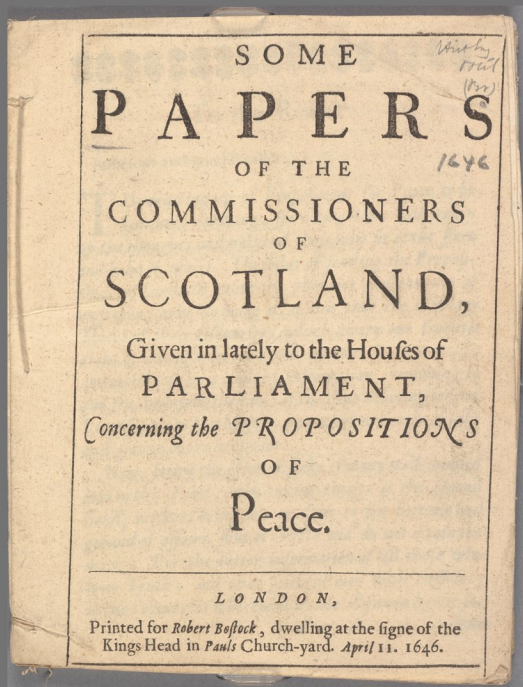


Some papers of the Commissioners of Scotland, ...



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SOME
P A P E R S

Writ by
1646
(1646)

OF THE
COMMISSIONERS
OF
SCOTLAND,

1646

Given in lately to the Houses of
PARLIAMENT,
Concerning the PROPOSITIONS
OF
Peace.

L O N D O N ,

Printed for *Robert Bostock*, dwelling at the signe of the
Kings Head in *Pauls Church-yard*. April 11. 1646.

SOME

PAPERS

OF THE

COMMISSIONERS

OF

SCOTLAND,

RELATIVE TO THE HOUSES OF

PARLIAMENT,

CONCERNING THE PROPOSITIONS

OF

PEACE.

LONDON,

Printed for Robert Aspley, dwelling at the sign of the
King's Head in Pauls Church-yard, 1674.



To the Reader.

Judicious and good Reader,

THe drawing up of Propositions for Peace to be sent unto the King, for a long time hath taken up the thoughts and pains of those who sit at the stern and helm of affairs. The delay of sending the Propositions, of late hath busied the phancies and tongues of most men, who do make it at this time the ordinary Theme of their discourses, which every one frameth right or wrong as he is carried by interest, but chiefly and mainly as he is lead by information, reasoning to and fro, he layeth the cause of the thus delaying to send Propositions to His Majesty, upon those whom he thinks and giveth out to be the let.

Now, seeing the great mistake of many well-minded men in this Point, who taking things at the second hand; without being able to dive to the bottome and ground of affairs, sbut at rovers and do not attain the mark; For the better information of all those who love Truth; and that faithful men with constancy to the Principles whereunto we are all sworn by our so-

To the Reader.

lemn Covenant, and tyed to by divers Treaties, Agreements, and Results, after so many debates, conferences, and mature deliberation, be no more thus misunderstood, as they are by some, namely by those who are so much concerned to know the truth; and consequently to reject the sinistrous reports, raised and spread abroad against honesty, integrity, with constant faithfulness to the glory of God and good of his People: I having clearly understood from very good intelligence the cause in hand, do set it down here truly and simply as it is revera, without any disguisement by stating the question otherwayes then it is indeed, or by colouring it with affected words; which I here present unto thee, judicious Reader, heartily for thy satisfaction; with the Copy of three Papers given into the Houses of Parliament by the Commissioners of Scotland, which the last day fell into my hands; I pray thee to take in good part this weak expression for the publike good from him who constantly prayeth for the welfare of Jerusalem, and wisheth thee to live in it happily and prosperously, Adieu.



The state of the Question concerning the Propositions of Peace.

THe Commissioners of *Scotland* have for nine Moneths, ever since the twentieth of *June* last, pressed the sending of the former Propositions agreed upon between the Kingdoms, presented to the King at *Oxford*, and whereof the most material were afterward debated upon at *Uxbridge*.

The Houses of Parliament upon the sixth of *August* last, in answer to the *Scottish* Commissioners declare, That Propositions shall be sent speedily, but that they intend to make some alterations.

After nine Moneths the Houses deliver to the *Scots* Commissioners upon the last of *February* some new Propositions.

The Commissioners of *Scotland* upon the 16. of *March* deliver in their Answer to these Propositions, wherein they observe, that all the omissions, additions, or alteration made in the former Propositions, are in those things which concerne the joynt interest and union of the Kingdoms.

Upon the 26. of *March* the Houses appoint a Committee

(2)
to debate with the *Scottish* Commissioners concerning the differences, which are chiefly these :

1. Concerning Religion ; The Houses make a generall Proposition, desiring the King to assent to what they have, or shall agree upon concerning Reformation of Religion, and concerning Uniformity in Religion, as the two Kingdoms shall agree.

The Commissioners desire to know the particulars, that after so long consultation of the Divines of both Kingdoms, they may with knowledge and assurance consent to that Proposition ; it was answered, the Houses had not resolved what particulars to send : And the Commissioners of *Scotland* deny to consent till they be acquainted with the Particulars, and take them into consideration.

2. Concerning the *Militia*, The Commissioners desire the former Proposition agreed upon between the Kingdoms, and debated at *Oxbridge* to be sent, especially because it doth neerly unite the Kingdoms.

The Houses in their new Propositions will have the *Militia* of the Kingdoms settled severally, each Kingdome by it selfe apart.

The Commissioners desire such a conjunction at least, as both may upon occasion Joyne together for suppressing insurrections, and opposing forraigne invasions.

The Houses will have the *Militia* settled in themselves from time to time without any limitation, and not only the King, but his Posterity and the Crowne excluded in time coming.

The Commissioners conceive it necessary, that for the security of the Kingdoms the *Militia* should be so settled as the King may have no power to make these Kingdoms twice miserable, but that this being a case extraordinary, it should

should onely be for a time; and as upon the one part, they thinke it most dangerous, that the *Militia* should after expiration of that time be settled in the King alone, so they hold it very unsafe, That the fundamentall Lawes of the Kingdom should be altered, and the Crown for ever excluded from all interest & right whatsoever, but after expiration of such a time as shall be agreed upon, the ordering of the *Militia* may be by King and Parliament, according to the many Declarations of both Kingdomes, and particularly of the Houses of Parliament, who affirme it to be by the constitution and fundamentall Lawes of the Kingdome in King and Parliament together, and onely in cases extraordinary, when the King failes in his Duty, the Parliament alone to provide for the security of the Kingdome.

See Col-
lection of
Remonst.
pag. 207,
208, 228,
729, 730.
&c.

3 Concerning *Ireland*; The Houses alleadge, that the transactions between the Kingdome made at *Edinburgh*, 28. November 1643. are no Treaty.

The Commissioners make it appeare that it is a Treaty, for that the *English* Commissioners had power to Treat, agree, and conclude; Articles are drawn up and agreed unto, which the Houses raise and confirme in their Votes of the ninth of *March*, and eleaventh of *April*, 1643. In the same Votes calling it a Treaty: And *Scotland* performes their part of the Treaty, makes their Army stay and advance to them a hundreth thousand pounds sterling, at the desire of *England*, who then because of their low condition were not able to send them any releife; and now the Houses make question to perform their part of the Treaty to *Scotland*.

Lastly, The difference is concerning foure Propositions formerly agreed upon between the Kingdomes, and omitted by the Houses in their new Propositions. They are:

1. The Proposition that Peace and Warre shall not be made without consent of both Kingdomes. 2. For education of the Kings Children by consent of both Kingdomes. 3. For disbanding the Armies by consent of both Kingdomes. 4. For an Act of oblivion by consent of both.

The Commissioners desire, that either the Propositions concerning Religion, the *Militia*, and *Ireland*, be sent alone as was done at *Uxbridge*, or if more be sent, That these Propositions which concerne the joynt interest of both Kingdomes may also be sent when others of lesse moment are sent.

When the Committee of both Houses, and the Commissioners had debated upon all these differences, the Commissioners expected that both should have joynd their endeavours to finde out expedients for removing these differences, and so come to a speedy agreement. But the Committee of both Houses, Declared they had no power to consent to the alteration of the least circumstance, though they were convinced in reason; whereupon the Commissioners gave in a Paper, desiring the Houses to enlarge the power of the Committee.

Some

Lately, The difference is concerning four Propositions formerly agreed upon between the Kingdomes, and offered by the Houses in their new Propositions. They were



Some Papers of the Commissioners of
Scotland, given in lately to the Houses of
 PARLIAMENT:
 Concerning the Propositions of Peace.



Ur earnest desires to have Religion settled in this Kingdome according to the Covenant, and to have both Kingdomes delivered from their present troubles and pressures, and established in a firme and happy peace, that we our selves and our Army might returne to our owne Native Country with comfort and contentment; moved us these nine Moneths past often and earnestly to presse, That the Propositions formerly agreed upon by the two Kingdomes might be sent to his Majesty, and the Answer of the Honourable Houses seaven moneths sithence; shewing their resolution to send Propositions to his Majesty for such a Peace, hath moved us extreemly to long for them. Upon the 28. of *February* we received some of the Propositions, which your Lordships desire to be sent, and in answer to our Paper of the second

of this instant *March*, expressing our desire to know whether these were all the Propositions desired to be sent, or if we were to expect any other. It was returned upon the fourth of *March*, that these were all, except such as concern Delinquents, and the City, which were speedily to be delivered unto us.

In the Propositions which we have received we cannot but observe, That the most materiall additions, omissions, and alterations as they are expressed in the Paper wherein the difference consists, betwixt these and the Propositions formerly agreed upon, doe trench upon the joynt interest of both Kingdomes, and tend to the leusing of the Bonds, and weakning of the sinews of our happy Union: which were not only notable Pledges and Evidences of reciprocal kindnesse for the time, to the discouragement of the common Enemy, but were also powerfull meanes for conserving and perpetuating our common Peace, and Brotherly Amity for all Generations to come, to the despairing of all our Enemies, ever to prevaile by their plots or attempts against these so neerly and firmly united Kingdomes. This could not but be a matter of resentment and unspeakeable grieffe unto us, and to the Kingdome of *Scotland*, had we not grounds of assurance of the intention of both Houses to the contrary; both from the inviolable League and Covenant, wherein we have all sworne, to *endeavour that these Kingdomes may remaine conjoynded in a firme Peace and Union to all posterity*, and from their Letter of the 13. of *November*, 1645. to the Parliament of *Scotland*, expressing their desire of a nearer union, and conjunction between the Kingdomes: We come therefore to the particular consideration of the Propositions. We doe first of all desire, That the Preface, Title, and conclusion of the Propositions may be the same as formerly, or to that sence.

In the first Article we desire these words [*th: Parliament of that Kingdome*] to be added after these words [*convention of Estates in Scotland*] and we doe agree to the first, second, third, and fourth Propositions.

To the fifth and sixth Propositions, We desire to see what the Houses have already agreed upon concerning Religion, and then we shall give in our Answer about these Propositions.

To the 7, 8, 9, 10, 11, and 12. Propositions we doe agree, the clause set downe in the 11. Article of the former Propositions, and omitted in these, concerning the ratifying the Acts of the Convention of Estates and Parliament of *Scotland*, being added to the 12. Proposition.

The Treaty at *Edenburgh* the 28. of *Nov. 1643.* which was comprehended in the former Proposition agreed upon between the Kingdomes, is excluded by these words in this new 13. Proposition [*And whereunto they are obliged by the aforesaid Treaties*] for the Kingdomes were not obliged by any of the former Treaties to make a subsequent Treaty, and therefore we desire the said Treaty of the 28. of *Nov. 1643.* together with the Ordinances of the 9. of *March*, and the 11. of *Aprill*, ratifying the same, may be expressed in the Proposition, for which we offer the Reasons following :

The Commissioners of the Parliament of *England* received particular instructions from the two Houses to treat with the Kingdome of *Scotland*, concerning the maintenance of the *Scottish Army in Ireland*, and ordering thereof in such manner as might best conduce to the prosecution of that Warre according to the ends expressed in the Covenant. And by their instructions communicated to the Convention of Estates of *Scotland*, according to the direction

direction of the Houses, they are expressly authorized to settle upon some course with the Kingdome of *Scotland*, to manage the War by the joynt advice of the Committees of both Kingdomes, and to prevent the evils and mischiefs that else might fall out for want of the same.

According to these instructions seven Articles are mutually agreed upon at *Edenburgh* the 28. of *Novemb.* 1643. by a Committee of both Kingdomes, after advising with the Agents and Officers sent from the *Scottish* Army, and serious debates, and mature deliberation upon the whole matter between the Committees of both Kingdomes, as is acknowledged in the preface of the Treaty.

In the fourth Article of that Treaty two things are agreed on: 1. That he who doth or shall command in chief over the *Scottish* Army, by joynt consent of both Kingdomes, shall also command the rest of the British Forces in *Ireland*. 2. For the managing of that Warre, and prosecuting the ends expressed in the Covenant, that the same be done by joynt advice with the Committees of both Kingdomes.

These Articles being agreed upon were transmitted to the Houses of Parliament, and six of them ratified and approved in the Votes of both Houses of the ninth of *March*, and eleaventh of *Aprill*.

In the Votes of the ninth of *March*, the fourth Article concerning the Command in chiefe, and the managing of the Warre, with the joynt advice of both Kingdomes, is *verbatim* ratified by the Houses, and was presented at *Oxbridge* to be confirmed by the King.

The Commissioners of *Scotland* having received instructions from the Estates of Parliament for the perfecting of this Treaty, and the two Houses having referred the same to the consideration of the Committee of both Kingdoms, after

After a free debate, and full deliberation the third and fourth Articles of the Treaty at Edinburgh were agreed upon and perfected by them, and reported to both Houses, who ratified and approved the same in their votes of the 11th of April.

Concerning the command in chiefe, these words were agreed upon, That the Earle of *Leven* Lord Generall of the Scottish forces in *Ireland* being now by the votes of both houses agreed to be commander in chiefe over all the forces, as well Brittish as Scotts, according to the fourth Article of the result of the Committee of both kingdomes passed both houses, be desired with all convenient speed by the advice of the said Committees, to nominate and appoint a Commander in chiefe under his Excellency over the said forces to reside with them upon the place.

Concerning the managing of the warre, it is agreed upon in these words, That Committees be nominated and appointed by the joynt advice of both Kingdomes of such numbers and qualities as shal be by them agreed on, to be sent with all convenient speed to reside with the said forces, & enabled with full and ample instructions by the joynt advice of both Kingdoms, for regulating of the said forces, and the better carrying on of that war. And both these Articles were delivered in at the Treaty at *Uxbridge*, and desired to be confirmed.

That according to these Articles, Committees are now in *Ireland* from both Kingdoms for manning of the war.

That these Articles of the 28 of *Novemb.* 1643. are likewise ratified in the Parliament of *Scotland*, and registered as a Treaty.

That the houses of Parliament in their votes of the 9 of *March* do in approbation of the sixth Article acknowledge it to be a Treaty.

...direction of the

houses were delivered unto us, as their consent to the Articles of the said Treaty of the 28 of *November*, and the houses in their Letter of the 25 of *May* did acquaint the Parliament of *Scotland* that they had ratified and confirmed the severall Treaties made and agreed between their Commissioners, and the Convention of Estates of *Scotland*: And that it was their desire the same might be done by the Parliament of *Scotland*, which they did accordingly.

That these Articles were agreed upon between the Kingdomes when the Parliaments Army in *Munster* revolted from them, and when the Scottish Army in *Ulster*, had sent agents to the Convention of Estates of *Scotland* to declare, that by reason of their extreame wants and sufferings occasioned by the want of their pay and necessary maintenance, due by the Parliament of *England*, they were resolved to leave that Kingdome, whereby it would have been wholly lost to the Parliament of *England*, if the Kingdome of *Scotland* had not interposed, and by taxing great sums of money upon the Kingdome of *Scotland*, and levying provisions, had raised considerable supplies, and sent them over for the present subsistence of the Scottish Army, untill the Parliament of *England* should be able to send them further supplies; which both Houses doe acknowledge in their said Letter of the 25 of *May* to the Parliament of *Scotland*, and doe return their hearty thanks to the Kingdome of *Scotland*, for their care of that Army, and the great charge they have been at for their reliefe with provisions and money for their necessary subsistence.

Those Articles being treated upon by Committees of both Kingdomes, both in *Scotland* and *England*, being ratified by the Parliaments of both Kingdomes, and by both acknowledged to be a Treaty; presented with the

Propositions of peace, and debated at *Uxbridge*, and having as much if not more of the formalities of a Treaty then the first Treaty concerning the sending of the Scottish Army into *Ireland*: we desire this Treaty may be inserted with the other Treaties in this Proposition, it being most reasonable the Treaty made and conditions agreed on for the continuance of that starved Army in *Ireland*, should be of as great force and as well observed, as the Treaty made for sending them over into *Ireland*.

As to the former part of the 14 Proposition, we desire it may stand as formerly, for the reasons above expressed: And as to the later part now added, we desire that all the Articles concerning the settling of Religion in this Kingdome may be extended to *Ireland*, according to the Covenant.

The 15 Proposition concerning Delinquents we have not received.

To the 16 and 17 Propositions we do agree.

In the 18 Proposition, we find so materiall differences from that which was formerly agreed upon concerning the Militia, as may be matter of long debate what may be most conducive to the security of both Kingdomes, and so retard the sending of the Propositions and loose the present opportunity of obtaining his Majesties consent before he be engaged in some other design which may be a ruine to himselfe, and a matter of new trouble to these Kingdomes.

We desire it may be considered, that the former Propositions, according to the interest of both Kingdomes, did settle a power in Commissioners of both Kingdoms for resisting all foraigne invasions, and for suppressing of all forces raised within either of the said Kingdoms, to the disturbance of their peace; By which there was no place left either to arbitrary power, or to any mistake or jealousye

lousie that could be raised or fomented between the Kingdoms; or to any project of Incendiaries, to divide the King from any of his Kingdomes, or one Kingdome from another. And we see no reason why that which at the framing of these Propositions, was esteemed as a great service and a firme foundation of unity and mutuall confidence betwixt the Kingdomes, should now be altered, the reasons for preventing thereof being as strong as ever. And this new Proposition containes nothing that may prevent those so great and obvious inconveniences, but seems rather to argue a diffidence and jealousie to the weakning of that mutuall confidence which was laid by the former Propositions.

Further, this new Proposition doth not provide how the Militia shall be ordered and disposed in the Intervals of Parliament, although in another case by the 21 Proposition concerning the nomination of the Deputy or chief Governour of *Ireland* the Chancellor or Lord Keeper, Lord Treasurer, and other Officers and ministers of *England* and *Ireland*, it is provided that in the Intervals of Parliament they shall be nominated by a Committee of Parliament. And if it be intended that in like manner the Militia be ordered in the intervals of Parliament by a Committee of Parliament, there is no objection can be made against the former Proposition, for settling the Militia in Commissioners, which will not be as full against settling thereof in a Committee, for by the former Propositions the Commissioners were alterable from time to time by the Houses, and to receive and observe their directions and instructions.

Wee conceive also, as the honourable Houses upon consideration of the manifold troubles and distractions in these times, have wisely and necessarily resolved for the safety and security of these Kingdoms, so to settle the Militia, as the King although he were willing be not able

by involving them again into a bloody warre, to make them twice miserable wherein we are ready most heartily to concurre: So doe we thinke, it is not their intention, to divest the King his posterity and Crowne for all time coming, of all power, right, and interest in the matter of Militia, so as although they be never so willing to follow the advise of their Parliaments, yet they shall for ever be incapable, and in no time comming be admitted to joyne with the Parliaments, for resisting their enemies, and protecting their Subjects; the apprehension whereof, may prolong the Kings answer and hinder his consent, and (as may easily be collected from the debates at *Uxbridge*) may be interpreted to be a fundamentall alteration of the Government, contrary to the resolutions and declarations of both Kingdomes, and not so agreeable to the Covenant; may be made use of by our adversaries, for such an occasion of quarrelling, as they never had before, may be made a meane to bring the common cause and our cariage into contempt, & used by our enemies as a motive for provoking foreigne Princes and States to engage in a war against us; both parts were provided for in the former Proposition upon the one part the exercise and execution of the Militia was not to be in the power of the King, yet upon the other part were the Commissioners in whose hands it was to be trusted, to have their Commission from King and Parliament, and it was condescended upon at *Uxbridge*, that the time should be limited to seven yeares, and after expiration of that terme to be setled and exercised in such manner as his Majesty and the Parliaments of both Kingdomes respective should thinke fit, but by this new Proposition the whole power is to be setled in the two houses of Parliament, and the Crown altogether excluded from all interest in the Militia for ever, which therefore requireth a new consideration.

There

There is another thing which we professe doth very much affect us, that whereas in the large Treaty of Peace, a Commission for preservation of the peace then settled between the kingdomes was judged most necessary, and was mutually agreed upon, and accordingly in pursuance thereof, Commissioners were appointed by the Parliament of Scotland, to whom the Houses of Parliament upon several occasions made their addressees to good purpose, and whereas in the former Propositions, severall Articles were set downe with mutuall consent for conserving the peace, firmly and inviolably for all time to come, yet in this new Proposition although the danger be no lesse, and the necessity no lesse urgent, there is not so much as mention made of any meane to be used or course to be taken for conserving the peace between the Kingdomes, and betwixt the King and either of them, but all passed in silence; All which necessary considerations we offer to the wisdom of the honourable Houses, that they may continue in their resolution to send the former Propositions as they were proposed at *Vxbridge*, which will be free of debate, are more likely to be obtained of the Kings Majesty, and will serve more for the peace and good correspondence of the Kindomes, especially that the conservation of peace for the future may be provided for.

To the 19. and 20. Propositions we doe agree.

To the 21. Proposition we do agree with this addition.

The like for the Kingdom of *Scotland* concerning the nomination of the Lords of the Privie Councill, Lords of Session, and Exchequer Officers of State and Justice Generall, in such manner as the Estates in Parliament shall thinke fit.

The Proposition concerning the education, marriage, and choosing of the Tutors and Governours of the Kings children by consent of both Kingdomes, is omitted in these new Propositions.

The Proposition concerning the making of peace or war with foreigne Princes and States, with advice and consent of both Kingdomes, is also omitted in these Propositions.

The Proposition concerning the disbanding the Armies by consent of both Kingdomes is likewise omitted.

The Proposition for passing an act of oblivion in the Parliaments of both Kingdomes is omitted.

Wee desire that the Proposition concerning the City of *London*, as also the Propositions concerning Delinquents, may be speedily delivered unto us that they may be dispatched with the rest.

Upon the whole matter, If the houses of Parliament shall thinke fit for the present, to send only the three Propositions, concerning Religion, the Militia, and *Ireland*, as they were proposed at *Uxbridge* we do agree. But if they think fit that more Propositions be sent at this time, we do desire that all the Propositions which concerne the joynt interest of both Kingdomes, and are omitted in the new Propositions, may be sent likewise, although we are of the judgement that every particular, and circumstance of the Propositions, is not of so great importance to these Kingdomes as peace and warre should depend thereupon.

Having thus freely in such brotherly manner as the matter of peace doth require expressed our sense of the Propositions delivered unto us; if there be any mistake on our part, or if there be any point wherein the honourable Houses are not satisfied, we are most willing and ready to give and receive all brotherly satisfaction, by conference or otherwise in such manner as shall be judged most behovefull and expeditious, and to give testimony of our true and earnest desires, and readinesse to concurre with the honourable Houses in all such things

as upon a friendly debate, shall be found conduceable for procuring, settling and propagating such a peace, as we all desire for our common happinesse.

March, 16. 1646.

It is not unknown to the Honourable Houses of Parliament, how long a time we have waited here in patience and silence for the settling of Church-government according to the Covenant, and we our selves know (for which we have many witnesses, at home in the Church of *Scotland*) how zealous we have been of the honour of the Parliament in this matter; what hath been our care and industry to perswade and assure, that although hope deferred might make the hearts of many to faint, yet when the desire should come, it would be a tree of life; And that we were not to judge of the modell of Church-government in the Church of *England*, and of uniformity with the Church of *Scotland*, by some prævious and particular Ordinances of Parliament which were but parts of the building, but were to expect the last Ordinance, which would supply the defects of the former, and by rearing up the whole house in proportion and beauty, would in the end give to every judicious eye and zealous heart a full satisfaction. We doe also with thankfulnesse acknowledge and remember the zeale of the honourable Houses, in removing the Book of Common-prayer, in abolishing Episcopall government, and in other parts of of Reformation, and that in the time of their greatest troubles and dangers, which maketh their work the more acceptable to God and all good men; Yet are we at this time necessitated by our Covenant, our common interest, and publique trust, to make remonstrance of two things most materiall and of greatest consequence: One is, that through the long delay of the settling of the true Go-

vernment of the Church, Heresies and Sects are so multiplied, and Schism hath so much prevailed, that if there be not in time a powerful remedy provided, this Church after so many miseries of a bloody and long lasting War, will be in worse case then the former was, from which it was taken for a great happinesse to be delivered; And the Church of *Scotland*, after their many sufferings in this Kingdom and at home, in greater danger then it was in from the Prelates here, whose usurpation was the beginning of all our calamities and vexation.

The Honourable Houses may be pleased to call to minde, that in the large Treaty of the date *March 10. 1641*; the Commissioners of *Scotland*, from the sense of the troubles of that Church, arising from the Prelates of the Church of *England*, did by many Arguments presse Unity in Religion, and Uniformity of Church-Government, in the three Kingdoms, Unto which from the King & Parliament joyntly, a comfortable and hopeful answer was returned for obtaining their desire. Thereafter in the year 1642, the General Assembly of the Church of *Scotland*, seconded and assisted by the Lords of Secret Council, Did upon the same grounds renew the same desire, And received from the Parliament of *England*, not onely a Profession of their great contentment in the motion proposed, with many thanks, But also a large approbation of the motives upon which it was urged, which were; “The more strict Union
 “of both Kingdoms; More safe, easie, and comfortable
 “Government of his Majesty, And both to himself and people more free communion in all holy exercises and duties
 “of Worship; More constant security of Religion against the
 “bloody practices of Papists and deceitful Errors of other
 “Sectaries; More profitable use of the Ministry, in drawing
 “them from unpleasant and unprofitable Controversies,

" to the pressing of Mortification, and to Treatises of true
 " Piety and Practical Divinity; The making of way to
 " the relief and deliverance of the poor afflicted Churches
 abroad, &c. All which are expressed in their Declaration
 and Resolution, in answer to the Declaration of the Ge-
 neral Assembly, Together with a sad Complaint, that the
 miserable Estate of this Church and Kingdom, was not
 able to endure any longer delay, And a desire that some
 godly and learned Divines might be sent from the Church
 of *Scotland*, whereby the so-much-desired Unity and Uni-
 formity might be obtained: In the end, the mutual and
 joynt desires of both Kingdoms were concluded, and
 crowned with a Solemn League and Covenant, now trans-
 lated in other Tongues, and known thorowout all Chri-
 stendom; which was taken, as for other good ends, so for
 endeavouring the neerest Conjunction and Uniformity in
 Religion and Church-Government, and the extirpation of
 Heresie and Schism. All which considered, we may be
 bold to say without Preface or Apologie (which about the
 like purpose the Houses of Parliament in that their Decla-
 ration judged unnecessary) that it would be the sin and
 shame of the Church of *England*, And the sorrow of all
 the Reformed Churches, particularly of the Church of
Scotland; if after so many preparations, and so Solemn
 League and Covenant is entred into, for endeavouring the
 neerest Conjunction and Uniformity in Religion and
 Church-Goverhment, and the extirpation of Heresie and
 Schism; Not onely all sorts of Blasphemies, Heresies and
 Sects which are now multiplied, and Liberty of conscience
 which is pleaded for, should have place; But Unity and
 Uniformity in Religion, which is so much preached and
 written against, should be sleighted, and the Covenant it
 self wrested and perverted to speak that which it never in-
 tended,

tended, and which did not enter into any mans minde in the beginning, Such a violence as the holy Scripture it self hath suffered from perverse and heretical spirits; And this Church after so long a time further from Uniformity amongst themselves and with other Reformed Churches, then they were at first when it was judged so necessary. Against these so dangerous and destructive evils, we earnestly desire the Honourable Houses to provide effectual remedy, And we pray God so to blesse their endeavours, that the ruine of Religion in both Kingdoms, with the horrid consequences thereof, which is the work of Satan and his instruments, contrary to the Work of God and his Servants, may while there is yet hope, be wisely and speedily prevented.

The other material Point which we desire to offer, is concerning the late Ordinance of Parliament, 14 March 1645, with the Directions, Aug. 19. 1645; which in discharge of their duty to God, in pursuance of the Covenant, and in thankfulness to God for his mercies, They have after long consultation resolved upon; And wherein there be divers evidences of the Piety and Wisedom of the Honourable Houses, For which not onely the Church of England, but the Church of Scotland, and all the Reformed Churches, have cause to blesse the Lord; Yet it being acknowledged, that there may be need of Supplements and Additions, and haply also of alterations in some things, And it being supposed that the advice of the Assembly of Divines, wherein we have been assistant, is had thereunto, And we being entrusted by the Church of Scotland, in matters that concern them so neerly upon their common Interest: We have taken the freedom to present our thoughts concerning some particulars contained in the Ordinance.

First, concerning the Subordination of the Assemblies

of the Church to the Parliament : We make no question but the Parliament is superiour to all the Assemblies of the Church in Place, Dignity, Honour, and earthly power ; That Civil powers are the Vicegerents of God on earth, And that Ministers are onely Servants and Ambassadors ; And that the Magistrate is *Custos utriusq; tabulae*, and may by his authority compel the Ministers and Assemblies of the Church, to perform the duties which Christ requires of them : Like as the Ministers are bound to render a reason and account of their proceedings to the Civil Powers with all humility and reverence. We do onely desire, that without diminution of, or derogation unto the right and just power of the Parliament or Civil Magistrate, the expression of Subordination may be altered ; Because it may suppose (contrary to the meaning of the Parliament) that the relation of one Church-assembly to another, and of the Assemblies to the Parliament, and of appeals of one to another, are of the same kinde and in the same line, as if the Civil power were not onely about matters of the Church and Religion, But were formally Ecclesiastical, and to be exercised Ecclesiastically ; Because some may interpret it to be such an Headship and Supremacy in the Church, as sometimes was in the Pope, and hath been retained in substance in this Kingdom, As the fountain of the high-Commission, and foundation of other corruptions, contrary to the judgement of all such as have sought after further Reformation ; And because it is against the Doctrine and Profession of the Reformed Churches, which next unto the Word of God which is the Rule, are proposed in the Covenant as the example of Reformation.

Secondly, We desire the Provincial Commissioners for judging of Scandals, may be taken to further consideration, there being no warrant nor pretence for such a mix-

ture in Church-Government from Jesus Christ, Who hath appointed his own Spiritual Officers, to whom he hath committed the keys of the Kingdom of heaven, And to whom the Reformed Churches conceive the judging of offences, and the qualification of Communicants, doth as properly and incommunicably belong, as the publike Preaching of the Word and Administration of the Sacraments. Nor can it be supposed, that some few Civil men, having no calling from God, can be more able to judge of matters of this nature, then the Assemblies of the Church separated for the work of the Gospel, of which this is no small part. The same Churches, and particularly the Church of *Scotland*, which all this time have been in expectation of great purity and perfection of Reformation in the Church of *England*, may have their own jealousies and fears, that in the nature of the thing, this may be the laying of a new foundation of an High Commission or Episcopacy, upon which the superstructure afterward, although contrary to the present publike intentions, may be easie, And for a new partition-wall to divide betwixt them and the Church of *England*, and to make a present Schism and Separation for renting the bowels of this Church.

Thirdly, Concerning the meeting of the National Assembly, we acknowledge that the Supreme Magistrate, who is Guardian of both Tables and a Nurce-Father of the Church, may call a National Assembly, when in his wisdom he shall judge it necessary, and the Church is with all respect and humility to obey his call, for the good of Religion, or the Peace of the Kingdoms, when by Religion disturbed; But it is withall to be acknowledged that this power of the Magistrate is accumulative or positive, but is not a privative or destructive power: We therefore
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move, That the liberty which the Church hath from Christ be not restrained in cases of such extraordinary necessity, as Religion in all places hath been and may be subject unto, the safety of the Church being here the Supreme Law, and the honourable Houses of Parliament, having their liberties enlarged, will be willing to enlarge the liberties of Christ and his Servants. And we desire, that as they have in their wisdom appointed certain times for the meeting of the inferior Assemblies of the Church, they may also be pleased to appoint fixed times for the meeting of the National Assembly; otherwise what shall become of the mal-administration of Provincial Synods, and of appeals from them to the National Assembly? May not Provincial Synods within a short time run into contrary opinions and practices, and presume upon a Provincial Independency to hold them without controule? The Christian Churches in all ages have used this as an ordinary and necessary mean for the Uniform settling and preserving of Religion and Piety, for censuring and purging out of heresies and errours, and removing of scandals, schism, tyranny, prophaneness, and such evils as by Divine Providence and prediction must be, and would bring certain destruction and desolation upon Churches, if by this powerful remedy they were not cured or prevented.

There be divers other particulars in the Directions and Ordinance of Parliament, as the giving of the Sacrament to some persons against the conscience of the Ministry and Eldership, concerning publick Repentance, and such like, which by conference or otherwise as shall seem good to the wisdom of the honourable Houses, we would willingly and humbly offer to be examined, and with small alteration may give great satisfaction, being confident, that our liberty in what we have expressed, will be taken in good
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part; Sith it is done by us in pursuance of the ends of the Covenant, wherein as the Parliament & Church of *England* are bound to endeavour the preservation of the Government and Discipline of the Church of *Scotland*, So are we bound to endeavour the Reformation of the Discipline and Government in the Church of *England* and *Ireland* according to the Word of God, and the example of the best Reformed Churches; And sith we have not for the present, and we hope shall never have for the future, whatsoever our adversity or prosperity may be, any other intentions or desires, then we had and proposed in the beginning, when we so solemnly entred in Covenant.

March. 26. 1646.

The honourable Houses having after nine months deliberation framed and upon the last of *February* delivered unto us some of the Propositions of Peace; Upon the 16th of *March* we returned our Answer; in the close whereof we expressed our earnest desires and readinesse to give and receive all brotherly satisfaction concerning any differences, and to concurre with the Houses in all such things as upon a friendly debate should be found conduceable for procuring and settling a happy Peace. Upon consideration whereof, the Houses appointed a Committee to meet with us upon the 27th of *March*: but when we expected that upon debate their Lordships should have concurred with us in finding out expedients for removing of all differences and reporting of the result to both Houses that we might come to a speedy agreement, they declared unto us that they had onely power to argue with us, and were so strictly bound up by the Votes of the Houses punctually to adhere to every Proposition, that they had no
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power to consider of the alteration of the least circumstance, though onely as preparatory and in order to the further consideration of the Houses. When we have seriously thought upon this way of proceeding, the Propositions being the demands of both Kingdoms to be sent in the name of both as the best means for settling a well-grounded Peace, and in regard of the joynt interest which both Nations have in the matter and end of the Propositions, and according to the Treaty made between the Kingdoms, both ought to have their judgement and advice in agreeing unto, and framing of the Propositions; we cannot but insist upon our former desire, That the honourable Houses may be pleased to authorize their Committee to confer with us about the best way and means for removing of our differences, to propose expedients, and hear what shall be offered by us, and report the results to the Houses, that so we may come to a speedy agreement, which (if we shall meet with the like inclinations, as we shall bring with us, being resolved as in other things so especially in the matter of the *Militia* for the full security of this Kingdom as of our own, to give all possible satisfaction so far as may consist with our Covenant and publick Declarations) we hope may be by Gods assistance in a very short time effectuated. Whereas otherwise if we shall spend time in drawing up all our differences with the reasons thereof, to present in writing to the Houses, receive their answers, and give in replies in like manner, it must needs prove the losse of a great deal of pretious time, may in this conjuncture of affairs be of very dangerous consequence to both Kingdoms, and will retard the sending of the Propositions, the dispatch whereof for many reasons, would not be longer delayed, especially since we have so often declared to the King, that they are speedily to be sent,

sent, and the granting of them will be an effectual means for giving satisfaction to both Kingdoms. This we have judged necessary for us to offer as the most expeditious way for attaining those ends, and that we might clear our selves before God and the world, that we have neglected no mean in our power, which may procure a speedy Peace, desiring much rather to come to a speedy agreement by a friendly conference, then with losse of time to reckon up our differences in writing, although (if the posture of affairs would have admitted of delay) we should have accounted it our advantage first to have presented to the Houses in writing the reasons for the difference of our judgement in the Points controverted.

Concerning the Proposition for Religion; When we were ready to have debated with the honourable Committee upon the particulars communicated unto us by direction of the Houses upon that Proposition, their Lordships did acquaint us that they knew not whether it was the intention of the Houses to send to the King the Ordinances past both Houses, or to send any other particulars, and that the Houses themselves were to be consulted herein. And therefore that the Proposition concerning Religion (the settling whereof should be and is the chiefest of the desires of both Kingdoms, and for which principally they entred in solemn League and Covenant) may with as distinct knowledge and as full assurance of the particulars as is possible, be in Name of both Kingdoms demanded of the King, and with knowledge granted by His Majesty. And that according to the joynt Declaration of both Kingdoms, Truth and Peace may be established upon a sure foundation for the present and future Generations; our earnest desire is, that a Committee may be appointed with whom we may joyn for considering such Articles of

Reformation, and Uniformity of Church-government, as are already agreed upon by both Houses, that having joynt consent, they may be fit matter for the Proposition of Religion to be sent to the Kings Majesty, with such other matters of Church government, as we conceive may be concluded in a day or two, they being long since offered to the Houses, and wherein there can be little difficulty, and the one and the other may be formed up in a Method for a Model of Uniformity in Church-government.

Without this agreement in particulars of Church-government, as well as in the Directory of Worship and Confession of Faith, we are not answerable to our Covenant; our engagements and all our labours and sufferings are in vaine; the very long consultations of the Divines of both Kingdoms are fruitlesse; the great expectation not onely of the Church of *England*, but of all the Reformed Churches, is frustrated; we shall not know what to answer to the Church and Kingdom of *Scotland*, which will not be satisfied, nor secured in their Religion with Generals; nor can we finde any ground to satisfie our own reason for sending a general Proposition of Religion to the King. And therefore we still desire the honourable Houses in their wisdom to expedite us of this difficulty, That the Propositions may be with all speed brought to a comfortable and harmonious conclusion.

April 6. 1646.

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