

We were perswaded we ought to expect the exact Time when it would please your Majesty to hear us.

Our Submission is the Proof of our Fidelity, as these our most humble Remonstrances are of the Zeal we owe to your Service, and to the Good of the State.

The Alteration of the Coin has in all Times occasion'd the disturbing of good Order; every one has always believ'd it to be contrary to the publick Good; and the greatest Men, whom the Kings your Predecessors have employ'd in their Affairs of State, have left it for a Maxim, *That Coin must never be touch'd.*

The Necessity of the Times oblig'd the late King to make divers Alterations in the Coin since the Close of the Year 1689.

The Advantage he reap'd thereby at first, seem'd to enable him to continue the War more easily; but the Event justify'd, that those Alterations had caus'd more Damage than they had given Help.

The Lowering of the Species, which follow'd thereupon, as necessary Consequences, affected almost only his Revenue: The Informations drawn up about it shew the exorbitant Loss; and the Expence of the Re-coining the Money took up the greatest Part of the Remainder of the Product.

The Kingdom suffer'd thereby, through the Alteration of Trade, and the raising of the Course of Exchange.

Accordingly the late King, by his last Declaration of August 13, 1715. observes, in express Terms, That the Re-establishment of the Peace having enabled him to restore the good Order in his Finances, he had found, that nothing was of greater Consequence for keeping up a just Ballance in Trade, than to put the Gold and Silver Species upon a Foot proportionable to the Value they have actually in Foreign Countries; and orders, That for the future they shall remain upon a fix'd and unalterable Foot.

This Edict of May, now in Question, is absolutely contrary to that Regulation; it raises the new Species to double the Price of their just Value, and consequently destroys that Proportion so necessary for maintaining Trade.

'Tis even impossible, that upon that Foot either Foreign or Inland Trade should subsist.

As to Trade with Foreigners, the Course of Exchange will become exorbitant, the Goods they import into the Kingdom will rise to double their Value.

Our Species will have no Course with them, but according to their true intrinsic Value.

The Counterfeiting of them, which may be so easily done, and the Temptation of making an immense Profit thereby, will transfer to them, to our Loss, great Part of the Benefit expected from the Recoinage of the Species.

They will thereby make themselves Masters of our Commodities, for which, however, they shall pay no more than half of their true Value.

The Inland Trade is no less concern'd therein; the raising of the Price of Goods, which is already too sensible, will hinder the Consumption thereof, and by an inevitable Consequence will dry up the richest Source of your Majesty's Revenue, and chiefly that Fund which is apply'd to the Payment of Rents, and other Incumbrances of the Government.

It may even be reasonably suppos'd, that the Recoinage establish'd by this new Edict, will not have the expected Success; it being known by Experience, that the more the Species have been rais'd beyond their real Value, the less of them have been carry'd to the Mint.

In the Recoinage made in the Year 1690, near 500 Millions in Bullion were brought thither, because the Coin was very much rais'd. All the following Recoinings have not had the same Success in Proportion, because the raising of the Coin was always higher and higher.

If we may judge of the present, by what happen'd then, which is still fresh in our Memory, does it not plainly appear, that the excessive Value to which the late Edict raises Gold and Silver, will slacken the Eagerness of your Subjects to carry Bullion to the Mint? Because it may be truly said, that for two Marks Weight they will receive back but the intrinsic Value of only one Mark, whatever extrinsic and arbitrary Value may be put upon it in Publick.

In these Commotions, what will become of the Fortune of every private Man? Unforeseen Reimbursements, most of them forc'd upon People, will disorder Families most easy in their Circumstances.

The laying out their Money in the most hazardous Manner, into which their Forwardness for preventing the

the Losses they shall apprehend from the next lowering of the Coin, will engage the Trading Part of the Nation, and all your Subjects in general; will expose them to the Risk of their entire Ruin; and the Fear of Bankruptcies, grounded upon the Remembrance of those which happen'd upon Occasion of former Alterations in the Coin, far less than the present, will accomplish the Sinking and Burying of Trade in general.

All this, Sir, cannot be done without much Disorder- ing the Finances, and to their utmost Prejudice; of which we desire your Majesty, in the most respectful Manner, to be pleas'd to take Care without Delay. Above all Things, we cannot forbear representing to your Majesty, that the chief Motive of the Edict having been to find out Means for the entire Sinking of the State-Bills, the Evil (which all agree) is of that Consequence, that it wants the most speedy Remedy.

'Tis of equal Consequence, in order to raise the publick Credit, to give a full Effect to the Remedy; that your Bills, being carry'd to the Mint, may in the most convenient Manner be entirely destroy'd, in the Presence of those who have carry'd them thither; and that your Majesty be pleas'd to give Orders for their Suppression: A Precaution necessary and indispensable, what Measures so ever may be taken for the future to suppress these Bills.

We likewise hope that your Majesty will give Orders, that, for the future, Edicts relating to Coin be directed to your *Chamber of Accounts*, to be register'd there; because the Coin making one of the noblest Branches of your Demesnes, as being a Right inseparable from the Sovereignty, it is just that the Chamber, which preferably to others is charg'd with the Care of the Preservation thereof, may have Notice of the Regulations your Majesty designs to be observ'd about Coin.

The Edict in 1577, and the other Edicts and Declarations containing Regulations, have always been register'd.

Even in the Year 1705, on the like Occasion, the King order'd an Assembly to be held in his *Chamber of Accounts*, in order to deliberate about a new Sort of Coin, that was complain'd of.

And, lastly, the last Edict, in 1715, was sent thither by your Orders.

The Wisdom of your Councils, Sir, animated by the Knowledge and superior Genius of that Prince, intrusted with the Administration of the Kingdom, will easily find, in all these Observations, and in those of so many Magistrates, just Reasons to have a Regard to our most humble and most respectful Remonstrances, and even to prevent all those Inconveniencies, by repealing the Edict of the Month of *May*, 1718.

This, Sir, will be to all your Subjects a new Motive to engage them to that Obedience they owe you, and a happy Prefage of the Mildness of your Reign, and of the Goodness of your Heart.

The Court has either return'd ~~an~~ Answer to the Remonstrances of the *Chamber of Accounts* and *Court of Aides*, or else they have not been made publick; but as the Answer to the Parliament is produc'd new Remonstrances, we think it necessary to insert it at large, as follows:

THE King has caus'd the Representation of his Parliament to be consider'd in his Council; and his Majesty will be always ready to give a favourable Reception to what they lay before him, provided it strikes not at the Injury or Diminution of his Authority.

His Majesty will be always ready to hear the Proposals that shall be made to him, for relieving and easing his Subjects, especially those whose Estates have suffer'd most by the Consequences of a War which was of so long Continuance. And his Majesty judging that the Debts of the State ought to be paid by the Publick, for whose Protection they were contracted, is of Opinion, that all the Orders of his Kingdom ought to unite in contributing towards satisfying them, and that they should not plead their Merit, their Privileges, or their Births, for Exemption, which gives no Honour to their Zeal.

It is with a View of taking Care of so just and necessary a Payment, that his Majesty publish'd his Edict of *May*; and that he chose this Means as the least prejudicial to his Subjects. The different Accidents that have happen'd to the State Creditors, relating to the Monies they have lent, or otherwise, shall be made good for the publick Advantage, and for the more speedy and easy satisfying those Debts; whereby  
Land



Land (which must be acknowledg'd to be the true Wealth of the State) must necessarily rise in its Value and Income. The Collecting the Taxes upon the People will hereby also be render'd much more easy, as the Receipts of the Month of *June* have already testify'd.

It is without Ground that some Persons have appear'd uneasy, that the Edict has not command'd that the State-Bills should be sunk, whereas the Order for that was given at the Beginning of the Melting; and by the former Edicts all those Bills are to be burnt, by what Ways soever they come into the King's Exchequer. The Sums and Numbers of those that have accordingly been destroy'd, have from Time to Time been communicated to the Publick; and thereby it appears, that the Fire has already consum'd to the Value of above 36 Millions of those Bills at the Town-House.

The King's Authority could not possibly restrain all the Misdemeanours which the Wickedness of Men and the Necessity of the Times have introduc'd, if he were confin'd to the Observance of the old Laws only, without making new, suitable to the Circumstances of the Times. Both the one and the other are wholly in the Will of the Sovereign; and they want nothing but that Will to make them Laws. The Registering of these in the Courts, (to whom the Publishing of them belongs) adds nothing to the Powers of the Legislator; it is only a Publication of the Law, and an Act of indispensable Obedience, which the Courts must esteem as an Honour to them; and undoubtedly they do so, when they give out the Copies of it to the other Subjects.

Several Letters Patents of our Kings have been sent directly to the Baillywicks and Seneschalries; but during the last Reign it was indeed judg'd to be more agreeable to the Subordination and the good Order to be observ'd in the State, that the lesser Magistrates should be inform'd of the Will of the Prince, through the Hands of the Courts who had a Right to reform his Judgments. Each of those Courts have their Share of Authority distinct and separate, and wherein the other Courts can have no Cognizance. But the King unites in his Person those several Powers, which, though independent of one another, all issue from him, and of which he has the total Disposal at his Pleasure.

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His Majesty has seen with Pleasure in the Representation of his Parliament, the reverend Consequences that must be drawn from these Beginnings.

Let each Court then satisfy it self with its being a separate Body, which needs not a new Call for holding their Assemblies, or to do Justice in Matters of their Competency, without troubling themselves with that of the Government, whenever it doth not please his Majesty to ask their Advice.

Lastly, let each Court confine it self within the Circle of its own Jurisdiction, and assume to themselves a Superiority of Inspection in the Matters belonging to them, above the other Courts: But let not the several Colleges (among whom his Majesty has dealt out the Power of administering the most excellent Justice to his Subjects) undertake, to alter this Order, by Unions, Examples, or Associations, which his Majesty has given no Authority for.

The King promises himself, from the Obedience and Fidelity of his Parliament, that these Fundamentals shall be instill'd into the Jurisdictions that are subordinate to them: and this new Proof of their Obedience and their Zeal, will confirm the Sentiments of Esteem and Reverence, whereof his Majesty has given them such remarkable and such excellent Testimonies since his coming to the Crown.

Those vain-glorious Distinctions, whereof there are few Examples, give Occasion to expect, that among those Precedents, whereof his Parliament in their Remonstrance have made Use, some will appear, whose Dates may bring Times to Mind which it were to be wish'd were bury'd in Oblivion.

This is the Answer that the King has found necessary to give, upon the Representation of his Parliament; although the Remonstrance, with Respect to the Edict of *May*, are not in the Case of the Declaration of his Majesty, which is authoriz'd.

With Respect to the Letters Patents, upon the Arret of his Council the 1st of *June*, which calls be ore his Majesty the Differences that may arise upon Occasion of the Edict, it is his Majesty's Pleasure, That the Parliament register it without Delay, and he will take Care, that those Differences shall be decided as speedily as may be, and in such Manner, that his People shall suffer no Damage.

The Parliament, not relishing this Answer, desir'd

Leave to wait on the King with new Remonstrances against it; but were told, That his Majesty would not be troubled with formal Audiences, and therefore they might deliver in Writing what they had to say: Notwithstanding this, they repeated their Instances for an Audience in such a Manner, as they'd they would not be deny'd: Insomuch, that at length the Regent thought fit to comply with their Request, and would no longer refuse them what they insisted on as their undoubted Right; but admitted some Deputies of the Parliament to an Audience of the King, to whom the first President, who was at the Head of the Deputation, made a very long Speech upon the Subject of the Alteration of the Coin, and then deliver'd what he had said in Writing. The Court however went on with recoin-ing the Money, notwithstanding the above Reasons offer'd by the Parliament and the other Tribunals, and their Clamours against it. Mean while these Differences between the Court and the Parliament produc'd some unexpected Proceedings, which were a visible Evidence, that the Regent would not suffer the Royal Authority to be invaded while it remain'd deposited in his Hands. To this Purpose the King held a Bench of Justice (*Lit de Justice*, as they call it) of which we have the following Account.

On the 25th of August in the Night, all the King's Household Troops were drawn out under their Arms, and posted, some on the Ramparts, some near the *Foire St. Germain*, others at the *Louvre*; in short, all of them at proper Places for receiving immediate Orders, and for marching on the first Signal wherever Occasion might require. Every Thing being thus dispos'd, Care was taken to send Letters *de Cachet* to all the Princes of the Blood, Marshals of France, Dukes and Peers, Counts and Peers, and other eminent and distinguish'd Persons of the Realm, living at Paris, to come between Nine and Ten in the Morning to the *Louvre*, where his Majesty would hold his Bench of Justice, and decide some Affairs of Importance to the State. Besides the Order which was sent to each Member of the Parliament in particular, to appear in his Scarlet Robe, it was thought proper to send a Letter *de Cachet* to the whole Parliament in a Body, who assembled at the *Palais* for other Affairs between six and seven in the Morning. They had no more Time for Debate allow'd them, than whether they should go

in Coaches or on Foot, as is the Custom on extraordinary Occasions, and it was carry'd to go on Foot. All who appear'd at the *Louvre* being plac'd each according to his Rank and Character, and the King being seated on his Bench of Justice, (which was in the Form of a Throne) *M. d'Argenson*, by the King's Order, read a Paper, signifying, that his Majesty had been pleas'd to confer upon him the Office of Keeper of the Seals, which became vacant by the Dimission of *M. d'Aguesseau*, the Chancellor; that it was his Majesty's Pleasure they should all acknowledge him as such, &c. And then *M. d'Argenson* paus'd a little, as expecting the Suffrages of the Parliament. Then a Sign being made to the King's Council to speak, *M. de Lamoignon*, Principal Advocate-General, said, That the Affair was of too great Consequence for him to offer to judge of it decisively on the Spot; but since his Majesty was desirous it should pass, he besought his Majesty, in the Name of the whole Body, to allow that it might be indors'd on the Letters Patents of the Keeper of the Seals, that the same were pass'd and registred on such a Day, the King being present and holding his Bench of Justice. Accordingly *Gilbert*, the Chief Register, read the said Letters Patents, and *M. d'Argenson* was acknowledg'd, *Nemine Contradicente*, Keeper of the Seals, and also to be capable of executing all the other Functions of the Chancellor during his Absence; so that he may preside in all the Chambers and Sovereign Courts, the great Chamber not excepted, as often as he shall come there, before the President. This done, the Keeper of the Seals read another Paper, by which in few Words the Parliament was, in the King's Name, sharply reprimanded for having offer'd to arrogate to themselves a Right to meddle in the Affair of the Coin and other Things which concern the State; and it was declar'd, That his Majesty annull'd all the Arrests which the Parliament had made thereupon, as intrenching upon the Royal Authority; that his Majesty expressly forbid all and every one to intrude for the future directly or indirectly into the Affairs of State; that his Majesty was sorry he must involve certain wise and peaceable Members, who were by all acknowledg'd to be such, among other Members who aspir'd at making themselves the Heads of a Party, and breath'd nothing but Confusion and Sedition; that his Majesty did prohibit and forbid



them to form a general Assembly of all the Chambers, without the exprefs Order of the Court, enjoying them to employ themselves solely in rendring Justice to all those of his Subjects who should apply to them for Relief; that for the rest, they should be permitted to make Remonstrances when the Court should consult them, or should require the registering of any Letters Patents, Edicts, Declarations, &c. provided however that this be done in eight Days, that within those eight Days they ask Leave to do it, and that they previously communicate such their Remonstrances to one of the Secretaries of State to be examin'd; but that after the Expiration of the eight Days the Matter shall not be resum'd. Here the first President stood up, and said, That he hop'd from the King's Justice the Company might have a certain Space of Time granted them for deliberating at Leisure and distinctly upon all these Points, &c. Whereupon the Keeper of the Seals, first approaching the King to receive his Pleasure, turn'd to the first President, and with an audible Voice pronounc'd these Words. The King will be obey'd, his Orders admit of no Delay. Immediately after, the Keeper of the Seals read another Paper, which contain'd a short and succinct Compliment to the Dukes and Peers, and especially upon their Rank and Quality; adding, that it was a crying Injustice to grant to any whatsoever any Pre-eminences to their Prejudice; that this was a Truth which the Regency was very sensible of in the Minority of *Lewis XIII.* when immediately after the Death of *Henry IV.* his Bastard Son, *Cesar de Vendome*, or *Cesar Monsieur*, was declar'd to be divested of and fallen from all the Privileges and Prerogatives which King *Henry IV.* had granted him above the other Dukes and Peers; that the present Regency, which is no less vigilant for the Interests of the King and of the State, looking upon that Example to be most just and equitable, could not decline advising the King to follow it, by declaring the \* *Duke du Maine* and the Count *de Thoulouse* to be degraded and fallen from all the Advantages, Pre-eminences, Privileges, Titles, and Prerogatives, granted to them by the late King, to the Prejudice of the Dukes and Peers; and that his Majesty did actually declare them so to be;

\* See the Register N<sup>o</sup> 4, Page 538.

be; that is to say, to have no other Precedency, or Seat, than according to the Date and Creation of their Dutchies and Peerages; that however, in Consideration of the essential and personal Services of the Count *de Thoulouse*, his Majesty was pleas'd to reinstate him in his ancient Titles and Prerogatives; that is to say, to enjoy, during his Life, the Honours of the \* *Parquet*, but even this not to descend to his Posterity, nor to be made a Precedent. This done, Monsieur the Duke of *Bourbon* presented a Petition to the King, setting forth that the Duke *du Maine* being inferiour to *M. de Villeroy* in Rank, according to the Creation of his Dutchy, it was not just that he should keep the Title or the Trust of Surintendant of the King's Education; that therefore he besought his Majesty to confer that Employment on him (Monsieur the Duke) as being his Due by Birth; adding, that he would have claim'd the said Office at the late King's Death, had he not at that Time been a Minor. The King judg'd this Demand of Monsieur the Duke to be very rightful and equitable, and his Majesty order'd that Letters Patents should forthwith be made out, not only for investing Monsieur the Duke with the Office of Surintendant of his Education, but for all the other Matters above-mention'd. His Majesty likewise commanded, that all those Letters Patents should be enter'd and register'd in his Presence, after the same had been read by *Gilbert* the Register with a loud Voice. All that the King's Council requir'd was, that on the Back of each of the Letters Patents it should be noted, that such and such Articles were register'd on such a Day, the King being present, and holding his Bench of Justice.

The Edict mention'd in the Account above, relating to the Duke *du Maine* and the Count *de Thoulouse*, is as follows:

**L**EWIS, &c. The Dignity of Peer of *France*, which has been always regarded with so much Distinction, has in all Times deserv'd the particular Attention of the Kings our Predecessors, for preserving the Splendor and Grandeur thereof; and they have given to the Peers the immediate Rank after the Princes of the

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\* A Place in the Parliament-House, where only Princes of the Blood are allow'd to sit.

the Blood, to bring them the nearer to their Person. The Re-union to the Crown of Part of the ancient Peerdoms, engag'd the Kings to create new Ones to supply the Room of the ancient; and for several Centuries together the Peers saw no Body before them, except Princes of the Blood-Royal, and had no other Rank amongst them but such as deriv'd from the Erection of their Peerdoms; and if afterwards the Kings have chang'd that Order, upon Account of their particular Affection for some of their Subjects, whom they would place above all other Peers, though they had no other Dignity, the Kings who succeeded them have taken Care to re-establish the ancient Order of the Creation of Peerdoms. But King *Henry IV.* mov'd by an extraordinary Affection for *Cesar de Vendome*, one of his legitimated Sons, gave him at first, in the Year 1597, when the Lordship of *Beaufort* was erected into a Dutchy and Peerdom, the Rank as Duke and Peer above some other Peers; and by new Letters, in the Year 1610, he gave him the Precedency over all, immediately after the Princes of the Blood. That Favour was not approv'd by the King his Successor, our Great Great Grandfather, insomuch that the Duke *de Beaufort*, Son to *Cesar de Vendome*, took only his Rank in our Parliament of *Paris* from the Date of the Erection of that Dutchy and Peerdom. The other legitimated Sons of King *Henry IV.* had no Rank among the Dukes and Peers; and one of those who was honour'd with the Dignity of Peer by King *Lewis XIII.* took his Place only according to the Date of the Creation of his Peerdom. But the late King, our Great Grandfather, who had always a singular Affection for his legitimated Sons, and a particular Attention to raise them, caus'd in the Year 1694, the Rank which *Henry IV.* had given to *Cesar de Vendome*, to revive in the Persons descended from him; that he might grant the same Favour to the Duke *du Maine* and the Count *de Thoulouse*, his legitimated Sons, to whom he granted a Declaration of the 5th of *May* 1694, by which it was order'd that his legitimated Sons; and their Issue in lawful Marriage, should take Place immediately after the Princes of the Blood Royal in all Places, Acts, Ceremonies, and Assemblies either private or publick, even in the Court of Parliament and elsewhere: That they should precede all the Princes who possess Sovereign States without our Kingdom, and all other Lords of what Quali-

ty or Dignity they be; and that in all the Ceremonies, in his Presence and every where else, his said legitimated Sons should enjoy the same Honours, Ranks, and Distinctions, which have been enjoy'd at all Times by the Princes of our Blood, immediately after the said Princes of the Blood Royal. These Favours were confirm'd by particular Brevets of the 20th and 21st of May 1711, which produc'd an Edict given the same Month and Year, importing, amongst other Things, That the legitimated Sons of the late King, who shall possess any Peerdom, are to represent the ancient Peers at the Coronation of Kings, after or in the Absence of the Princes of the Blood, and have a Right to sit and vote in our Court of Parliament at the Age of 21 Years, taking their Places immediately after the Princes of the Blood, and preceding all Dukes and Peers, even although the Lutchies and Peerdoms of his legitimated Sons should not be so ancient as those of the other Dukes and Peers.

All these Distinctions, of which the latter were without Example, were very much augmented by the Edict of July, 1714, and by the Declaration of the 23d of May, 1715; by which the late King granted to his legitimated Sons the Title of Princes of the Blood, declared them capable to succeed to the Crown, in Case of Failure of the last Princes of the Blood, and granted them all the Privileges, Rights, and Honours, enjoy'd by the Princes of the Blood, without any Distinction. The Prejudice the Princes of our Blood receiv'd from this last Edict, oblig'd them to desire the Revocation thereof, which we have granted them, for preserving to our Issue, and the Princes of the Blood Royal the eminent Rights and Privileges which a lawful Birth alone can give; but at the same Time that we revok'd that Edict and Declaration, whereby the Duke *du Maine* and the Count *de Thoulouse*, and their Male Issue, were declar'd Princes of the Blood, and capable to succeed to the Crown, by an Edict of the Month of July, 1717, we reserv'd to the Duke *du Maine* and the Count *de Thoulouse* the Honours they had enjoy'd since the Edict of 1714. As this Favour may be attended with dangerous Consequences, and that after having done the Princes of the Blood Royal the Justice which was due to them, we are no less oblig'd to re-establish, in Favour of the Dukes and Peers, the ancient Order of the Rank of Dukes.



Dutchies and Peerdoms, pursuant to the Design we have to maintain between all the Bodies of our State the Harmony and Union which are necessary to secure the Tranquillity of the Government and the Happiness of our Subjects, we have resolv'd to explain our Intentions upon the Petition that has been presented by the Dukes and Peers, to be maintain'd in all their Rights and Prerogatives. For these Causes, and other good and important Considerations, with the Advice of our most dear and belov'd Uncle, the Duke of Orleans, Regent, &c. We have revok'd the said Edicts and Declarations, &c. and ordain, in Consequence thereof, that the Duke du Maine and the Count de Thoulouse shall have no Rank in our Court of Parliament and other Places, but according to the Creation of their Peerdoms, and enjoy no other Honours and Rights than those belonging to their Peerdoms, as they are enjoy'd by the other Dukes and Peers, derogating to our Edict of July, 1717; as far as relates to the Clause whereby it was order'd, that the said Duke du Maine and the Count de Thoulouse should continue to enjoy the Honours which they had enjoy'd in our Court of Parliament since the Edict of July, 1714, and all other Edicts, Declarations, Letters Patents, Arrests for them and their Descendants, and all other titles contrary to these Presents, &c.

The same Day a Declaration for the Interpretation of the Edict aforesaid, was register'd and annex'd thereunto, wherein the King, after having repeated the Substance of the Edict aforesaid, is pleas'd to express himself as follows:

**H**OWever, as we are sensible of the inviolable Attachment which our most dear and most belov'd Uncle the Count de Thoulouse has always express'd for our Person and our State, his Zeal for the Publick Good, and his important Services, we see with Grief that the ancient Constitutions, which we have re-establish'd, exclude him from a Rank of which his Personal Merit render'd him so worthy, and which he accepted only out of Deference to the Orders of our most honour'd Lord and Great Grandfather, the late King, of Glorious Memory; and upon these Considerations have thought our selves oblig'd to give him some particular Marks of the Esteem we have for him; and we do this with the greater Pleasure, because our Inten-

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tions are seconded by the unanimous Consent of the Princes of the Blood, and the Requisition of the Peers of France. For these Causes, &c. our Will and Pleasure is, That the said Count de Toulouse shall continue to enjoy, during his Life only, without drawing into Consequence for his Issue, the Honours, Ranks, and Prerogatives, which he enjoy'd before our Edict register'd this Day, &c.

About the same Time an Arrest of the Council of State, and Letters Patents in Consequence thereof, were register'd likewise in Parliament, the Preamble of which Arrests is as follows.

THE King being inform'd that the Parliament of Paris, at the Instigation of ill affected Persons, and contrary to the Advice of the wisest of that Company, abusing the several Marks of Consideration with which his Majesty was pleas'd to honour them, immediately after his Accession to the Crown, in permitting them to make to his Majesty Remonstrances upon his Edicts and Declarations, before they register them, make continually new Attempts to share the Sovereign Authority, attribute to themselves the immediate Administration of the Finances, and a Jurisdiction over the accountable Officers, to render themselves superior to the other superior Courts, either in respect to Coin, or in relation to Impositions and Subsidies, to propose or reiterate their Remonstrances, after the Term prescrib'd by the Declaration of the Month of September, 1715, to make them prevail over the King's Will, to forbid and supersede the Execution of the Arrests of the Council; to call themselves, or pretend to be, the necessary Council of his Majesty and the State; to follow the Examples of preceding Minorities, whereof the Domestick Divisions of Foreign Wars disturb'd the Publick Tranquility; to renounce almost entirely to the Distribution of Justice, to employ themselves in examining or rather criticising upon Affairs of Government, to the great Prejudice of the publick Credit, which the Parliament seems to have design'd to alter, by inconsiderate Proceedings, by Explanations which they had no Right to demand, and several Arrests on Matters that are not within their Jurisdiction; against all which it being necessary to provide, his Majesty being in his Council, with the Advice of

Monsieur the Duke of Orleans, Regent, has ordain'd and does ordain, &c. The Arrest it self contains ten Articles, whereby the Form and Time of the Remonstrances, which the Parliament is allow'd to make for the future, are prescrib'd; and they are forbidden to interpret the King's Edict, to invite other Courts to any Association or Union, &c. to hold Assemblies without Leave; to take any Cognizance of the Administration of the Finances, or other Affairs of the Government; annulling and making void all Arrests, Declarations, and other Acts, contrary to the Edict of May last, and the Arrest of the Council on that Subject, &c. By the Letters Patent the Arrest of the Council of State is directed to the Parliament, to be register'd and executed according to its Form and Tenor, &c.

This Arrest was the most sensible Mortification that ever the Parliament could receive; and the Preamble reflects so openly upon their Proceedings, that nothing but a violent Fear could oblige them to register themselves the Condemnation of the Oppositions they had made against the Edict for altering the Coin. This was not; however, the sole Mortification they receiv'd; for three Days after, viz. the 29th of August, three of their Members, the Presidents *Fedeau* and *Blamont*, and the *Sieur de St. Martin*, a Counsellor, were seiz'd early in the Morning by a Detachment of Musketeers, who broke open their Doors, as if they had been guilty of the highest Crime.

The Parliament meeting upon this extraordinary Proceeding, sent the King's Council to desire an Audience of the King; which being granted, the first President made a short Speech to his Majesty, shewing their great Surprise at this Violence, representing the Innocence of their Brethren, and assuring the King that they would severely punish them if they prov'd guilty of any Crime or Want of Respect for the Royal Authority. They insisted, that it was their undoubted Right to examine them, and pass Sentence upon them, which no other Tribunal could do; concluding with a moving Request, That his Majesty would be pleas'd to order those Gentlemen to be set at Liberty.

The Keeper of the Seals, who bore an old Grudge to the Parliament because of a severe Reprimand he receiv'd from them when he was Lieutenant-General of the Police, was very glad of a new Opportu-

ty to revenge himself; and therefore return'd them a sort of rough Answer in the King's Name, importing, That this Deputation related to Matters of State, which requir'd Silence and Secrecy; that his Majesty would have his Authority respected, and would declare his Intention thereupon according as the Parliament should behave themselves on this Occasion.

Thus the Interest of the Parliament was not prevalent enough to obtain a Discharge of the Prisoners; no more than the Reasons alledg'd by them against the Edict for altering the Coin, could prevail with the Regency to desist from that Project: And yet those Reasons are certainly unanswerable, any other-wise than on Account of an absolute Impossibility to do otherwise: For it is evident that the Government by that Means seizes at once to their own Use above one Third of the current Cash of the Kingdom, which in all Appearance will one Time or other be attended with dismal Consequences. These Instances shew, that the Regent is not to be frightened by the Parliament or any others; and that there must be an indispensable Necessity to compel him thus to exert his Authority.

But another Affair has no less perplex'd the Regent: For notwithstanding the many Endeavours he us'd to prevent the Disputes between the Court of Rome and Part of the Clergy of France, from producing an open Breach and an entire Separation from the Church of Rome; the Pope resolving to be obey'd, and to hearken to no Proposals of Accommodation, issu'd a Brief dated the 28th of August, whereby all the Faithful in Christendom are order'd to separate themselves from the Communion of those who have, do, or shall, for the future, refuse to submit to the Holy See, and accept the Constitution *Unigenitus*.

What Effect the Publications of this Brief of Separation has produc'd in France, may be seen by the following Mandate, which the Cardinal de Noailles, after having had several Conferences with the Regent on that Affair, caus'd to be publish'd.



*A Mandate of his Eminency Monseigneur the Cardinal de Noailles, Archbishop of Paris, for publishing his Appeal brought on the 3d of April, 1717, to the Pope better Advis'd, and to the future General Council, from the Constitution of our Holy Father Pope Clement XI. of the 8th of September, 1713, beginning with these Words, Unigenitus Dei Filius.*

**L**EWIS Anthony de Noailles, &c. °To °the Secular and Regular Clergy of our Diocess Greeting and Benediction.

The Zeal with which we have been always inspir'd for restoring Peace in the Church of *France*, and to put an End to the Troubles occasion'd therein by the Constitution *Unigenitus*, is sufficiently known to you: We even know, that some amongst you are of Opinion, that we had carry'd our Submission too far; and we are not unacquainted with the Uneasiness and Apprehension occasion'd by the Patience we have shewn, and the Steps we have taken.

In order to dispel those Fears, and to remove all Suspicion, with which they were endeavouring to possess you relating to our Conduct, we have often been willing to inform you of our Views, and to lay before you what we were resolv'd to do, in order to contribute to Peace; but we have had the Consolation to find, that that Precaution, which otherwise might have been dangerous in certain Circumstances, was useless in respect to you.

Far from giving Ear too easily to the Calumnies spread against us, (as *St. Basil* complaineth, that the Faithful of *Neocaesarea* had done with relation to him) whatever Efforts the Spirit of Discord has made to prepossess you against us, yet you have always been perswaded, that our Faith is pure, and that our Intentions were pacifick.

Without therefore enlarging, at present upon all that has happen'd since on that important Affair, we will only tell you, that we have been always perswaded, that Peace is so precious and valuable, that we ought to sacrifice all for obtaining it, except Truth; so that far from repenting of any Thing we have done, and of what we have suffer'd to bring about an Accommodation, whereby both Truth and Peace may be preserv'd, we cannot forbear acquainting you, that

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it is Matter of the highest Grief to us, that the Success has not answer'd our Wishes.

As we had given to the late King, of glorious Memory, constant Proofs how sincerely desirous we ever have been to extinguish all Divisions, we have deliver'd into the Hands of that Great Prince, who governs us at present, sure Fledges of our Love for Peace; and 'tis no small Consolation to us, to have convinc'd his Royal Highness, that the Consequences of a Rupture could never be charg'd upon us.

Now that we are depriv'd of all Hopes to terminate that grand Affair by way of Reconciliation, the Necessity of a just Defence, and still more, the Obligation to remedy the Abuses which are made every Day of the Constitution *Uoigenitus*, in order to strike at the Purity of the Doctrine, the Holiness of the Morals of the Gospel, the Rules of Discipline, the Liberty of the Catholick Schools, forces us to have Recourse to the last Remedies, and to shelter us against those Blows we are threaten'd with, by an Appeal to the Tribunal of the Universal Church.

We shall very shortly, by a particular Instruction, demonstrate to you, that this lawful and canonical Way is authoriz'd by the Usage of all Ages, by the Maxims and Conduct of the greatest Saints; supported by the Decrees of the Council of *Constance* and *Basil*, as well as the ancient Canons, which are the Foundation of our Liberties; and that our Fathers have made Use of these Means upon less important Occasions, and by Reasons less material than those by which we are at present determin'd to use the same.

We believe therefore, dear Brethren, we ought to publish the Act of Appeal to the future Oecumenick Council, brought by us on the 3d of April 1717, which divers Motives, but above all, the Hopes of Peace, have hinder'd us hitherto, to make publick.

The Recourse to the Authority of the Universal Church, which according to the constant Maxims of the Kingdom, and the Doctrine of Divines and Canonists, suspends the Effect of all that has preceded, and at the same Time annuls, by full Right, all that might be done afterwards in Prejudice to the said Appeal, shall not hinder us from ardently seeking all Means to restore Concord and Unanimity, which are so necessary for the Interest of Religion and the Welfare of the State; we shall never leave off to pray to God to obtain

tain that they may be restor'd, either by a holy Agreement of the *Gallican Church*, or by the Explanations which we have requested, with the most respectful Instances to our Holy Father the Pope, to grant us, and which we had so much the more Reason to expect from our common Father, because we desir'd nothing but what was conformable to the Conduct of the most holy Bishops, and what has been practis'd by the greatest Popes.

This we propose to thee you by a great Number of Examples; and we shall esteem our selves happy, if Truth and Peace can be so secur'd, that we may be dispens'd from waiting for the Decision of the General Council.

But being convinc'd what Troubles soever the Church may be disturb'd with, that according to St. *Austin* there can be no just Occasion to break the Unity, we shall remain inviolably attach'd to the Chair of St. *Peter*, which we respect as the Centre of the Catholick Unity; we shall continue to pay to him, whom God has plac'd in that Chair, to be the visible Head of the Episcopal College, and of the whole Church, the Respect and Submission prescrib'd by the holy Canons. In fine, we shall preserve, at all Times, whatever may happen, even for those who may openly declare themselves the Enemies of Peace, the Sentiments of Union, Concord, and Charity, which *Jesus Christ* has recommended to his Ministers.

We exhort and conjure you, dear Brethren, by the tender and sincere Affection you have always express'd for us, and by that which we reciprocally have for you, to pay to the holy Apostolick See, and to the Person of our holy Father the Pope, all the Respect and Submission due unto him; to have for all the first Pastors of the Church the respectful Sentiments requir'd by our Religion; to avoid all Occasions of Treble and Division, in provoking one another by injurious Expressions; to practise faithfully the Rules prescrib'd by St. *Paul* to the *Ephesians*, in preserving humility, Affability, and Forbearance among yourselves, and endeavouring to preserve the Unity of Spirit in the Bond of Peace. In fine, never cease to put up fervent Prayers to the Almighty for obtaining the Effect of our just Desires, and of those of several other Bishops, our Brethren, and a great Number of Secular and Ecclesiastical Bodies, who put up the same Prayers

Prayers for obtaining a Peace, which, according to the Remark of St. *Gregory Nazianzen*, can never be solid, but on the contrary become more fatal than Division it self, unless it be founded on Truth.

For these Causes, &c. we order our Appeal, brought the 3d of April 1717, from the Constitution *Unigenitus*, &c. to be enter'd in the Register, of our Officiality; which, together with this present Mandate, shall be read, publish'd, and affix'd, where Occasion shall require.

Given at Paris, in our *Archiepiscopal Palace*, on the 24th of Sept. 1718.

Sign'd,

L. A. Cardinal de Noailles.

The Act of Appeal, annex'd to this Mandate is as follows.

The Act of Appeal of his Eminence the Cardinal de Noailles, Archbishop of Paris, of the third of April, 1717, to the Pope better Advis'd, and to the Future General Council, from the Constitution of our Holy Father, Pope Clement XI. of September the 8th, 1713.

**L**ewis Anthony, Cardinal de Noailles, Archbishop of Paris, &c. being attach'd to the Chair of St. Peter, as to the Center of Catholick Unity, from which it is never lawful to separate; being animated with the most profound Respect for the Church of Rome, whereof we have the Honour to be a Member in a particular Manner, by the Dignity wherewith we are cloath'd; being also full of singular Veneration for him whom the Divine Providence has elevated to the See Apostolick, and whom we revere as the Successor of the Prince of the Apostles. to whom belongs of Divine Right the Primacy of the whole Church: We have been sensibly afflicted at all the Troubles which the Constitution *Unigenitus* has excited in the Church; and principally in our own Diocese. No Body is ignorant, that as soon as this Constitution appear'd, the Faithful were under Consternation at a Censure, which appear'd to them to condemn many Truths of Religion, and the ordinary Language of Piety: That the New Converts were scandaliz'd at a Condemnation, that reviv'd their ancient Prejudices against the Faith of the Roman Church, which they had endeavour'd to obliterate, since they had return'd to the Pale thereof: That the Magistrates having been alarm'd



alarm'd at the Consequences which might be drawn from the Bull against the Laws of the State, the Safety of the Sacred Persons of Kings, the Privileges of the several Faculties, the Rights of Episcopacy, and the Liberties of the *Galkcan* Church, thought themselves oblig'd to prevent the Danger of the same by Modifications equally prudent and necessary: That a great Number of Pastors full of Zeal and Knowledge, many Divines distinguish'd by their Learning and their Adherence to sound Doctrines, and also divers Prelates, had from the first Moment foreseen all the ill Uses that would be made of the Constitution: Whether it were to attack some evident Doctrines and important Rules of Morality and Discipline, or to trouble the Peace and Liberty of the Schools; and the Event has but too well justify'd, that their Fears and Disputes were not wholly groundless.

In Effect, we have Proofs from publick *Theses* and printed Books, that the Defenders of loose Morality do openly make Use of the Censure of the one hundred and one Propositions, to erect their new Opinions concerning Grace into a Doctrine of Faith: As if our Holy Father, Pope *Clement XI.* had proscrib'd the Doctrine of St. *Augustine* and St. *Thomas*, so solemnly approv'd by many of his Predecessors, and even by himself; and that they are not afraid to assure, that the Church of *Rome* authorizes the Errors and loose Notions which she has often condemn'd, and which 'tis very certain she will never approve.

The Hereticks, animated by this Example, and always upon the Watch to profit by the Occasions of insulting the holy See, publish in divers Writings, That the Church has vary'd in the most essential Doctrines; That *Clement XI.* has condemn'd the Doctrine which the ancient Popes had authoriz'd about *Grace*; and that the late Constitution overturns the fundamental Truths of Christian Morals: Insomuch that this Censure is become one of the strongest Arguments to destroy the Authority of that Tradition which we oppose to their Errors, and to confirm those in their Schism, who by the Misfortune of their Birth are engag'd in therein.

Upon the Consideration of so many Complaints which resounded from all Quarters, the Bishops who happen'd to be at *Paris* and who were assembled by the Order of the late King, to deliberate about the

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Acceptation of the Constitution *Unigenitus*; did agree, That such great Evils requir'd a speedy Remedy. Forty Prelates thought themselves sufficiently acquainted with the Intentions of his Holiness, so as to be able, in a *Pastoral Instruction*, to fix the Sense in which they believ'd the *Constitution* ought to be understood; and this seem'd to them a Means sufficient to prevent all the Abuses which might be apprehended from it.

Finally, Though we were equally convinc'd with our Brethren, of the good Intentions of his Holiness, yet it appear'd necessary to us, and at the same Time the safest for our selves, the most respectful for the holy See, and the most advantageous for the Church, to address our selves to the very Author of the *Constitution*; to set before him the Difficulties that were propos'd to us every Day; to beg of him to declare himself the true Meaning of his Bull; to teach all the Faithful how to distinguish those Truths, which must be held inviolable, from such Errors as are to be rejected; to preserve to us, by this Means, the *Deposition* of the Christian Doctrine in its Purity; to appease all Troubles; to quiet disturb'd Consciences, and to maintain the Tranquility of the Church, together with the Liberty of the Schools.

We have never ceas'd, for more than the Space of three Years, to make Use of all the Means that were in our Power, to engage our Holy Father the Pope to give those Explications, which every Day become more and more necessary. In the View of facilitating the Success of a Remedy, whereof we all of us know the Advantages, we have our selves drawn up a Plan of Explications upon all those Matters which are the Subject of the *Constitution*; in which we have apply'd our selves to distinguish exactly the Truths that ought to be believ'd, and the Opinions of the Schools: And after having conferr'd about it with a great Number of Prelates of known Merit and Virtue, and with many learn'd Divines of all the Schools, we have presented this Work to his Holiness; conjuring him, at the same Time, to be pleas'd himself to explain his *Constitution*, or to confirm, by his Apostolick Authority, the Explications which we had made; in order by this Means to render the Truth secure, and give to the whole Church a solid and a durable Peace.

But altho' this Proceeding was conform to what has been practis'd by the holiest Bishops of Antiquity, and to what has been even prescrib'd by the greatest Popes, who, whenever any Doubts or Difficulties arise on Occasion of their Decrees, recommend Suspending the Execution of them, 'till they themselves shall explain them; and altho' so reasonable a Request was supported by the Protection of the Prince, who governs us with so much Capacity and Penetration, and who lends all his Application to the finding out of Means for re-establishing Peace in the Church; yet hitherto our Instances have been without Success. Instead of the Explications which were requir'd by the Necessities of the Church, we have seen Decrees of the Inquisition, by which several Mandates of the Bishops of *France* have been dishonour'd, in a Manner very injurious to Episcopacy: We have seen divers Briefs, wherein it is declar'd, That the *Constitution* is so clear of it self, as to want no Explications; wherein is contested the Right of the Bishops to judge, together with the Pope, of Questions of Faith, (tho' this Right be annex'd to their Persons by Divine Institution) to reduce them to the bare Condition of being Executors of the Decrees of the Sovereign Pontiffs, to whom they would be thus oblig'd to submit themselves by a blind Obedience; wherein they are prohibited to depart from the Letter of the *Constitution*; and wherein it is declar'd, That to demand Explications, is *to aspire to a criminal Curiosity, and to be desirous of eating the forbidden Fruit.*

All these Steps of the *Roman Court* having been look'd upon as a Condemnation of the different Explications of the *Constitution* that the Bishops have given to this Time, the Disciples of *St. Augustine* and *St. Thomas* on the one Hand, and those of *Molina* on the other, conclude from it, That it was the Pope's Intention to condemn the Hundred and One Propositions, in their proper and natural Sense, as it presents it self immediately to the Understanding: And all the Divines being agreed in this Principle, infer from it alike, though by very different Methods, That several Doctrines and Rules, both of Morality and Discipline, have been proscrib'd by the Bull *Unigenitus*. Which Thing occasions Grief on the one Side, and Triumph on the other.

Use is therefore made of the *Constitution*, and of the Refusal of explaining it, (wherein the Pope persists for three Years past) to wound the so essential Doctrine of the Necessity of Faith in *Jesus Christ*, without which sinful Man could never attain to Justification and Salvation; as also to perswade People, that the Old Testament, whereof *Moses* was the Minister, might confer Grace, and beget Children to God, by the Terror wherewith it was animated; in Opposition to what *St. Paul* teaches us, about the Weakness and Impotency of the Law, apply'd by it self, and about the Differences that must be acknowledged between the Old Testament and the New.

Such are the Consequences that are drawn from the Censure of the Propositions which concern the two Covenants, and from the Condemnation of this Proposition in particular; *What other Thing can any one be but Darkness, Distraction, and Sin, without the Light of Faith, without Jesus Christ, and without Charity?* Of which Proposition the Condemnation is so much the more surprizing, as it seems to contain no other Thing than what *Jesus Christ* says of himself, who is *the Light, the Way, the Truth, and the Life*: And also the Idea which *St. Paul* gives to the Gentiles of their Condition before they were enlighten'd by Faith, and had belong'd to *Jesus Christ*; namely, *that they were dead in Sin, that they were Darkness, and that they are become Light unto the Lord*.

Use is likewise made of the Condemnation of the tenth, twelfth, and thirteenth Propositions, to attack the Doctrine of the Omnipotence of God's Will over the Hearts of Men, to which no human Will can resist, nor does so; though it may ever resist the Operation of the strongest and most powerful Grace. This Doctrine so often express'd in the Scriptures, confirm'd by the constant Tradition of the Eastern and Western Churches, and which, *St. Augustin* says, cannot be deny'd, without overthrowing the first Article of the Creed, seems to be declar'd without Alteration in the twelfth Proposition, *When God wills the Salvation of a Soul, the undoubted Effect follows upon the Will of God, in all Times, and in all Places*: And this Proposition seem'd to be so much the more guarded against all Censure, as it is expressly drawn, Word form Word, from *St. Prosper*, according to the Translation made in French Verse of the Latin Poem of this Doctor,



which is cited under his Name in the very Place of this Book whence the Proposition is drawn.

The thirty second Proposition. *Jesus Christ surrender'd himself up unto Death, to deliver the First-born by his Blood; that is to say, the Elect, from the Hand of the destroying Angel.* The Censure of this Proposition is likewise one of the chief Objects of the Complaints of a great Number of Divines, who maintain that it contains, in its proper and natural Sense, the Doctrine of the special Will of *Jesus Christ* for the eternal Salvation of the Elect, so expressly taught in the Scriptures, in all Tradition, and in the Determinations of Councils.

The Defenders of the new Systems concerning Grace, ground themselves upon the Censure of many Propositions, to reject, as erroneous, this strong and victorious Grace, which we are taught by Faith; and to attack in a particular Manner the Sentiments of St. *Augustin* and St. *Thomas*, supported by a great Number of Divines, that this Grace is efficacious of itself, and that it is necessary to all Works of Piety.

But we cannot conceal how much the Ears of Christians are offended, to see condemn'd in many Propositions a Custom consecrated by the Holy Ghost, in Tradition; and the ordinary Language of Piety; according to which, the Comparisons drawn from the Power which God has manifested in the Creation, in the Resurrection of the Dead, in the miraculous Cure of the Sick, and in the Mystery of the Incarnation, are often made Use of to express the Gratitude of our Predestination, the Force and Almighty Power of Grace over the Heart of Man.

The Censure of several Propositions concerning Faith, creates as great Difficulties, and is expos'd to no less Inconveniencies. The Constitution condemns this Proposition, *Faith is the first Grace, and the Source of all others*; which appears so agreeable to these Words of the Council of *Trent*; *Faith is the Beginning of the Salvation of Men, the Foundation and the Root of all Justification*: To what St. *Augustin* teaches in many Places, *Which is the Grace that we receive first? It is Faith*: And to what we read in an Epistle of Pope *Boniface the Second*, *It is a certain and Catholick Verity, that the Divine Mercy, even when we are not willing, prevents us in all the good Things whereof Faith is the Source.* Does not the Censure of the condemn'd Proposition equally

equally fall upon these so authentick Decisions? And will not People conclude from this Condemnation, that particular Men, and even whole Nations, might, without Faith and the Knowledge of a Mediator, fulfil the whole Law of Nature, and receive Graces that might have led them to true Righteousness and to Salvation; which are the very Notions that the Light of Faith and Piety inspire to all Christians. *Whoever would approach to God, must not come to him with brutal Passions, nor conduct himself by a natural Instinct, nor by Fear like Beasts; but by Faith, and by Love, like Children.*

But the Paternal Heart of a Bishop cannot, without being sensibly touch'd by it, be Witness of the Grief which the Censure of the Propositions, that concern the Reading of the Holy Scriptures, and the Celebration of the Divine Office, causes to the true Children of the Church; of the Revolt which this same Condemnation inspires to the new Converts, and the almost invincible Obstacle it puts to the Conversion of Hereticks. Ordinary Believers have thought, that the Pope, by censuring these Propositions, would interdict them the Reading of the Sacred Books, which have been written for the Instruction and Consolation of Christians, and to take away from them, at the same Time, the Comfort of uniting their Voices to that of the Church, in the Singing of the Praises of God: And his Holiness is not ignorant of the Scandal which is caus'd in particular by the Censure of the eighty second Proposition. *Sunday ought to be sanctify'd by reading godly Books, and particularly those of the Holy Scriptures.*

The Partizans of loose Morality do also draw great Advantages, from the Censure of the eighty seventh and eighty eighth Propositions; and the most zealous Pastors complain, that this Condemnation inspires Sinners with a Spirit of Rebellion and Unteachableness against the holy Laws of Penitence.

The eighty seventh Proposition. *It is a Conduct full of Wisdom, Knowledge, and Charity, to give to Souls the Time of bearing with Humility, and of feeling their sinful State; to pray for the Spirit of Repentance and Contrition, and to begin at least to satisfy the Justice of God before they be reconcil'd.*

The eighty eighth Proposition. *Men do not know what is Sin and true Repentance, when they would be immediately*

mediately re-establish'd in the Possession of those good Things of which we have been stripp'd by Sin, and when they are not willing to hear the Confusion of this Separation.

The Consequences which Sinners, and those who favour them, by a<sup>o</sup> false and pernicious Indulgence, draw from this Censure, are by much the more dangerous, as these two Propositions seem to express the Spirit of the holy Canons about Penitence; and consequently the Rules which ought to be follow'd in the Administration of the Sacraments, and which have been confirm'd by the Authority of Popes, and of the Clergy of France; according to which, Absolution is to be deny'd to those Sinners who have not as yet the Spirit of Repentance and Contrition; who bear not with Humility, and who feel not the Condition of Sin.

In fine, The Restrictions which the Magistrates have added to the ninetieth and the ninety first Propositions, which concern Excommunication, and the Precautions which the Bishops have taken about this Matter, sufficiently indicate, that the Church and the State are equally interested to prevent the Abuses which may be apprehended from this Censure.

The ninetieth Proposition. *'Tis the Church that has the Power of Excommunicating, by the first Pastors, with the Consent, or at least the presum'd Consent of the whole Body.* The Enemies of Episcopacy believe themselves authoriz'd by the Condemnation of this Proposition, to oppose the Doctrine of the Holy Fathers, who teach, That it is the Church which has receiv'd the Power of the Keys; that it is not only one Man, that I may use the Words of St. Augustin, but the Unity of the Church, that has receiv'd the Keys; that this Power of Excommunication has been given to the Church; that this Power makes a Part of the Power of the Keys, which Jesus Christ himself gave immediately to the Apostles, and in their Persons to the Bishops, who are their Successors.

We cannot, without Prevarication, tolerate the false and pernicious Maxims, which may be grounded upon the Censure of the ninety first Proposition. *The Fear of an unjust Excommunication ought never to hinder us from doing our Duty: A Man never departs from the Church, even then when he seems to be banish'd out of it by the Wickedness of Men, while he continues devoted to God, to Jesus Christ, and to the Church, by Charity.*

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The best Divines have frequently represented, that the first Part of this Proposition, *The Fear of an unjust Excommunication ought never to hinder us from doing our Duty*, does not express, in its proper and natural Sense, any other Thing but this Truth, *That we ought rather to obey God than Men*; which we have learn'd from St. Peter, the Prince of the Apostles; which is founded upon the Lights of Faith and Reason, upon which the Popes have so often form'd their Judgments and Decisions; and particularly St. Gregory, who says, *That Obedience never ought to engage us to do any Evil*: And Innocent III. who says, *That a Woman who is sure of the Invalidity of her Marriage, ought not to co-habit with her Husband, altho' she be enjoin'd it under Pain of Excommunication*. Does not what we owe to Religion and the State equally engage us to teach the People committed to our Care, that every Excommunication which turns them aside from the Fidelity which they owe to God, to their Prince, and to their Country, is, from that Moment, an unjust Excommunication? And that the Fear of such an Excommunication should never hinder them from fulfilling all the Duties prescribed by the Laws, natural and divine, which are immutable.

The second Part of the ninety first Proposition does not seem, in its proper and natural Sense, to offer any Thing else to the Mind, but this Maxim, taught by St. Augustin, *That the Spiritual Men never go out of the Church, though they seem to be driven from it by the Malice of Men: That in this Condition they are more innocent, than if they had remain'd in the external Communion of the Church, provided they do not oppose themselves to the Church: That they still continue firm and steadfast upon the solid Rock of Unity, and rooted by the strongest Bond of Charity*. This Truth has the less to fear, because it may be confirm'd by the unanimous Consent of the holy Doctors.

The Love of Justice and Peace engages us farther, to lend Attention to the Complaints which come from all Parts, touching the Unfairness whereby those Propositions, whose Condemnation was demanded, were extracted out of the Book of *Reflections*; many of them being visibly curtail'd, others inaccurately translated into Latin, a great Number wrested into a foreign Sense, whereof they are by no Means capable in that Book it self, and which have been disown'd by the Author,



in Writings and Proteſtations that are in all Mens Hands.

The Sovereign Pontiff has therefore been manifeſtly ſurpriz'd by falſe Representations; as the greateſt Popes have often complain'd, that they were ſeduc'd by the Artifice of thoſe who had Reſurſe to their Authority. But this Surprize is by ſo much the more dangerous, as it gives a Handle to<sup>t</sup> turbulent and unquiet Men to ſtart and bandy Queſtions, which are as uſeleſs as they are dangerous, upon the proper and natural Senſe of the Hundred and One Propoſitions, conſider'd in themſelves, and in the Book of *Reflections*.

Having therefore, for more than the Space of three Years, done all that was in our Power to make known to our Holy Father, the Pope, the Conſequences which were drawn from the Conſtitution *Unigenitus*, in order to favour ſeveral Errors, different Abuſes, and a dangerous Remiſſneſs in Morals, as well as to diſturb the Peace of the Church; and having not been able hitherto to obtain from his Holineſs any Remedy to ſo great Evils, we find our ſelves under a Neceſſity of having Recourſe to canonical Methods, authoriz'd by the Church, and often imploy'd by our Anceſtors, to oppoſe our ſelves to the Progreſs of the Diſorder occaſion'd by the Liſenſe of evil Interpretations, which encreaſe more and more every Day.

Wherefore, after having previously made expreſs Proteſtations, that we never deſign to ſay, no, nor to think any Thing contrary to the Holy, Catholick, Apoſtolic, and Roman Church, nor to the Authority of the Holy Apoſtolic See, to which we ſhall continue fix'd, by an inviolable Communion, to our laſt Breath; as alſo never to depart from the lawful Obedience that is due to our Holy Father the Pope, by Reaſon of the Primacy which belongs to him in the whole Church by divine Inſtitution; and to employ all the Authority we have receiv'd from God, to keep in the ſame Sentiments thoſe whom the divine Providence has entrusted to our Care; with the ſole View of preſerving, without Alteration, the Doctrines of the Faith, the Rules of Diſcipline and Morals, the ſacred Rights of Episcopacy, and the Liberties of the *Gallican* Church; as well as to prevent the Schiſm wherewith the Church is threatned, conformably to the Decretals of the Councils of *Conſtance* and *Baſil*; as well for us as for our Church, our Curates, the Secular and Regular Clergy of our Dioceſe,

cese, as for all those who adhere to our Appeal, and for those who shall thereunto adhere: We therefore appeal to the Pope, better advis'd, and to the future General Council, that shall be freely assembled, and in a Place of Security, whither we, or our Deputies, may with Freedom and Safety resort, from the Constitution which is entitl'd *The Constitution of our Holy Father Pope Clement the eleventh, containing the Condemnation of several Propositions extracted out of a Book printed in French, and divided into several Tomes, entitl'd, The New Testament in French, with Moral Reflections on each Verse, at Paris, 1699. And otherwise, An Abridgment of the Morals of the Gospel, of the Acts of the Apostles, of the Epistles of St. Paul, of the Canonical Epistles, of the Apocalypse; Or, Christian Thoughts upon the Text of the Sacred Books, &c. at Paris, in the Year 1693, 1694. With the Prohibition, as well of this Book, as of all others that have been publish'd or shall be publish'd for the future in its Defence; the said Constitution beginning with these Words, Unigenitus Dei filius. Given at Rome, at St. Mary Major, in the Year of our Lord 1713, on the 8th of September, and in the thirteenth Year of the Pontificate of our Holy Father Pope Clement XI. and also from the Refusal wherein his Holiness persists for three Years past to give such Explications as may secure the Truths of the Faith, the Rules of Discipline and Morals; and as may preserve to Divines the Liberty which the Church has left them to this Time, to maintain the Opinions which were commonly taught in Catholick Schools; and that may impose Silence upon those who would disturb the Peace of the Church by Questions of Fact, more proper to beget Disputes among the Faithful, than to instruct them; and likewise from every Thing that has follow'd from the Constitution upon this Occasion, as Briefs, Bulls, Decrees; and from all that has been done or may be done in Consequence of it.*

And being under Apprehension lest our Holy Father Pope Clement XI. irritated by the malicious Suggestions of certain Persons, whose ill Intentions are but too well known, should proceed, or cause to be proceeded, after what Manner soever, by his own Authority, or by any other Authority whatever, against us, our Church, our Curates, the Secular or Regular Clergy of our Diocese, and the Faithful who are sub-

jected to us, by Excommunications, Suspensions, Interdicts, Privations, or by any other Method imaginable; and to the End that our Condition, and that of such as do or shall adhere to our Appeal, may in all Things continue safe and sound, we likewise appeal to the Pope better advis'd, and to the future General Council, from all and every of the abovesaid Grievances, which either are or shall be, practis'd. And we instantly desire the ordinary Letters, call'd *Apostolos*, putting our selves, our Church, our Curates, the Secular and Regular Clergy of our Diocese, the Faithful who are subjected to us, those who adhere, or shall adhere to our present Appeal, their Persons and Rights, under the Protection of God, of the Universal Church, and of the future General Council: Protesting that we shall renew the present Act of Appeal, and produce therefrom more amply our Motives, where, when, and before whom it shall be fitting. Sign'd,

*Done at Paris, the  
3d of April, 1717.*

LEWIS-ANTHONY,

*Cardinal of Noailles, Archbishop of Paris.*

But for the more full understanding of this Affair, of which it is hard to say, in what, or when, it will end, it is necessary to give the following Translation of the Pope's Letter of Separation mention'd above, which has rekindled these Flames in the *Gallican* Church, which for some Time before seem'd in great Measure to be extinguish'd.

**C**LEMENT Bishop, Servant of the Servants of God, to all the Faithful of *Christ*, who shall see these Presents, Greeting and Apostolical Benediction. The Care of the Pastoral Office, of which we through the Disposition of the Council from above perform the Functions, put us in Mind to watch with all possible Care for procuring the Salvation of the Souls throughout the whole World; and in particular for preserving the Purity of the Orthodox Faith, without which it is impossible to please God. For these Reasons, having observ'd, that several Seeds of bad Doctrines, even of Heresies, begun to spring in some Ultramontane Provinces, and particularly in the Kingdom of *France*, on Occasion of a certain condemn'd Book,

Book, publish'd a long Time since in *French*, intitled, *The New Testament in French, with moral Reflections upon every Verse, &c.* Or otherwise, *An Abstract of the Morals of the Gospel, the Acts of the Apostles, the Epistles of St. Paul, the Canonical Epistles, and the Revelations; Or, Christian Thoughts upon the Text of those Holy Books, &c.* being no less animated by the Duty of our Place, as we are excited by the frequent Desires of a great many Bishops of the Catholick World, principally of *France*; more, being engag'd by the pious and often repeated Desires and Offices of *Lewis XIV* of glorious Memory, in his Life-time most Christian King of *France*, we have not fail'd to make Use, with the Assistance of the Lord, of all that depended on our Apostolick Vigilance, to root out these Seeds.

The Pope afterwards reminds the Readers, to whom these Letters are directed, of all that he has done upon this Occasion: He represents to them, how in the Month of September, 1713, he caus'd his Constitution *Unigenitus* to be publish'd, to censure divers Propositions drawn out of that Book, and to forbid the Reading of it; and after having said, That the same King *Lewis XIV*; as well as the greatest Part of the Bishops of *France*, have made him sensible of the Necessity of that Remedy, by their repeated Instances, continually assuring, that there was no other Method to put an End to the Divisions which were arisen, he adds these Words, Accordingly, all the Church of *Jesus Christ*, having follow'd *Jesus* speaking through us, however unworthy, has receiv'd the Apostolick Doctrine of the said Constitution with an Acquiescence and Obedience due to it; but the Innovators, who follow their own Minds, and see Nothing, taking Occasion from the inconsiderate Doubt of some few Prelates, have carry'd it to that Excess, that they have not been alham'd to make perverse Interpretations of the Constitution it self, to attack it to that Degree, as to make Use of impudent Calumnies to charge it with false Doctrines.

Therefore, in order to engage those refractory Bishops to follow the Steps of their Brethren, and to dry up the Spring of Troubles and Evils occasion'd by this indiscreet Doubt, we have, after three Years Patience, resolv'd to make Use of the Canonical Punishments. But, our Venerable Brethren, the Cardinals of the Holy *Roman* Church, to whom we thought it just to communicate the Motive of our Resolution,



have instantly begg'd of us to be pleas'd to suspend yet, for a little Time, the most severe Remedies, during which they would in common write Letters, to endeavour to bring back to Counsels of Union and Peace their Colleagues, who refus'd to submit to our Constitution, and who for that Reason had incur'd these Punishments. Having therefore yielded to their Desires, that we might not omit any gentle Method, we have likewise ourselves, during that Time of Suspension, writt'n to all the Archbishops and Bishops of the Kingdom of France, Letters, in Form of a Brief, of the 20th of November, 1716, in which, after having amply expos'd the Sequel of what had pass'd, and the Trouble of the Churches, we have exhorted them to go, even on our Part, to the Bishops their Brethren, to represent to them their Duty with all the regards of Brotherly Charity, and to employ all Means the Pontifical Zeal could furnish them with; imploring to this End, and also in our Name, the Credit of our most dear Son in Christ, Philip Duke of Orleans, Regent of the same Kingdom, to bring them to repair the Damages occasion'd to the Ecclesiastical Unity and Discipline, and to divert the Dangers with which the Catholick Religion was threaten'd. We did indeed hope for an advantageous Success from these Letters, and we believ'd, that being seconded by the Zeal of the illustrious Prelates of France, who in a far Greater Number fought for the Truth, it should happen, what we so earnestly wish'd, that we could gain our Brethren of different Sentiments. But we soon found ourselves frustrated in our Hopes, and we were forc'd to exclaim with Sorrow: *We have patiently waited for Peace, but it did not come: We have sought what is, advantageous, and lo! there are Troubles;* and indeed Troubles so great, that the Adversaries have attempted, by several Artifices, to stop almost all Passage to the same Voice of our Letters and those of the Holy See. The good Offices which the abovesaid Cardinals have done during the Delay they obtain'd from us, as we have mention'd above, have had no better Success. For though in the Letter written in common by the whole Sacred College, they had made Use of Perswasions, Counsels, and all the Affection, Zeal, and Ardency that their Ministry and the Brotherly Benevolence could

could inspire them with, yet they have found that they had labour'd in vain; and all their Pains have produc'd no other Effect, but the drawing upon them idle Complaints about Scandal and Dissension, but without being willing to remove the true Cause from which they sprung. We were, however, not discourag'd by this ill Success; nay, more, we have not yet given over our gentle Counsels, without troubling ourselves about the Judgments which Men may form of our Conduct, the rather because we knew that God ought to be serv'd without Regard to good or bad Reputation.

Therefore that by gentle Methods we might bring back the Stray'd to the Paths of Justice, we have added Prayers to the Exhortations so often repeated, and with the same View we have made Use in our private Letters, written with our own Hands, of all the Duties of paternal Indulgence, as could be suggested by Christian Charity, which is patient, benign, which suffers all, supports all. At the same Time several *French* Prelates, no less illustrious by their Wisdom and Learning, than by their Piety and Zeal for maintaining the Religion, viz. from amongst those who embrac'd our Constitution with that Submission which is due to it, knowing very well the Duties of their Dignity and Employment, and seconding our Desires and good Offices, being likewise favour'd in their Endeavours by the Duke, Regent above-mention'd, have not fail'd to employ all their Cares and assiduous Labour to move the Minds of their dissenting Brethren. But all these Methods have not at all been attended with that happy Success we expected above all Things: For the Eyes of the Opposers were darkned, that they might not see, and their Ears were stop'd, that they might not hear, to that Degree, that some amongst them, to the Dissatisfaction of all good Men, and to the Applause of the Enemies of the Church, have had even the Boldness publicly to undertake such Things, which, doubtless, have been disapprov'd by all such amongst you, who had Knowledge of it, and which even they, who committed them, knew well enough ought to be openly condemn'd, and be forever execrable to us and the Holy *Roman* Church.

Therefore

Therefore we, who cannot nor ought to fail in that sovereign Command of the Divine Pastor, whereby we are order'd to feed his Sheep, and to dispel the Fears of our Brethren, considering in ourselves, that the Word of God is not subject to any Ties, after having a long while employ'd in vain the Counsels of Peace, and kept Silence 'till this Time, we believe that it would not be safe for us, but pernicious for the People of God to continue still to be silent. We therefore direct our paternal Voice to you all, you the Faithful in *Christ* of every Nation under Heaven, That in the first Place, sharing with us our Grief, you offer in Conjunction with us your Prayers to God, to the End that by the Influence of Grace from Above, those who have been hitherto obstinately disobedient, entreating no longer any haughty Thoughts, but conforming to humble ones, may return as they ought to the Unity, to profess the wholesome and Catholick Doctrine with the other Faithful of *Christ*. This is what in effect we are aiming at from the Bottom of our Heart: This is what we desire of the Lord with Tears Night and Day: For neither a Mother can forget her Child, nor can the Holy *Roman Church* her Children.

Farther, That nobody may go on with seducing the Christian People with idle Words, we will, as it is necessary, that you be warned, and we certify to you, that vainly, and not without Leaven of Malice and Wickedness, this Sort of People boast that they agree with us in the Doctrine of Religion; notwithstanding they, at the same Time, maliciously criticise, like heterodox Men, upon the Constitution which we have publish'd, and which the universal Church embraces, with that Veneration that is due to it; not only by supposing therein a Sense remote from the natural Import of the Words, but besides this, by loading it with evident Calumnies, and accusing it of abominable Errors; as if the other Faithful of *Christ*, spread through all the World, were Fools, and they alone were wise; they alone perceiv'd the Light of the Truth, the others being blinded. And certainly these are no less guilty, who to dazzle the more easily the Eyes of those who are not aware, pretend at the very Time when they commit those Things, not to oppose in any Manner our Constitution; but only to demand Explanations upon Propositions perfectly  
perspicuous

perspicuous to all others besides: Their Intention being not to inform themselves, but to endeavour if possible to distract the Church by useless and endless Questions, and to cast at any Rate a Darkeness on the Light of the Catholick Truth. Thus, by abusing our Patience, they brag of paying Obedience to, and respecting the Apostolick Authority, at the very Time that they offer it the highest Injury; because by demanding these Explanations they shew plainly enough, that they have not yet paid to our Constitution that Obedience they owe it; because they are under an Apprehension the Catholick Doctrines are thereby destroy'd; the laudable Ecclesiastical Discipline, which has been approv'd by the Holy See, is thereby weaken'd; and lastly, the most wholesome Rules of Christian Morality are overturn'd; which is just as much as to fear that the Faith of *Peter* has fail'd, and that the whole Church of *Christ*, instituted by the Ministry of the Apostolick Voice, has deviated from the Way of Truth and Salvation.

Besides this, to cover with a specious Pretence a Cause very bad in itself, and to render our Constitution every where more and more odious, they have the Boldness to assure, That what makes them defer the accepting it, is because they suspect it condemns the Sentiments and Doctrines hitherto asserted and taught by the most celebrated Catholick Schools, without ever having been censur'd for it; though for all that, if they had not forsaken the ancient Track and Steps of the Holy Fathers, as likewise the Sentiments of the very Schools which they pretend to follow, they ought well to remember, that the first Masters of those Schools, whose Names they have the Temerity to use to justify their Obstinacy, as well as the other most celebrated Writers of the Church, have always been of Opinion, that it was their Duty to learn from the Apostolick See what they were to believe, what they were to hold, and what they were to teach; to send to it their Writings, in order to be examin'd and corrected, and to receive the Light of the Catholick Truth from the Place where Faith is not liable to fail; and lastly, That none of them ever undertook to defend his own Sentiments against the Authority of *Peter*.

Finally, In that Perverseness of Judgment, they do not leave off their usual Way of calumniating; for  
if



if their Malice did not blind them, and if they did not prefer Darkneſs to Light, they could not but know, that thoſe Sentiments and Doctrines, which they themſelves confound with the Errors we have condemn'd, are taught and publickly maintain'd with all Freedom in the Schools, and under our own Eyes, ſince the Publication of the Conſtitution, and that conſequently they are not condemn'd by the ſame. But the Fire of Diſpute and Animofity having ſeiz'd them, they have not perceiv'd the Sun of the moſt luminous Truth. Therefore by a juſt Judgment of God they walk in Darkneſs, and know not in the leaſt whither they go; for they imagine to find Matter of Scandal in our Conſtitution, and do not perceive, that it is their obſtinate Diſobedience which truly occaſions the Scandal. They proteſt that they intend to keep up the ſacred Dignity of Epiſcopacy, but in Reality they abuſe it; becauſe they themſelves ſlight fraternal Charity, foment the audacious Rebellion of the inferior Clergy, and do not mind that the whole Eccleſiaſtical Order is ſhamefully and inconfiderately ſubjected to the ſecular Tribunals, even in Matters of Religion.

They make long, and for the moſt Part uſeleſs Diſcourſes upon the Difference between the Ancient and the New Law, as if it were only they who underſtood it; and they do not ceaſe to lay Streſs upon the Preference of the New Law, which is acknowledg'd and profeſs'd by all; in the mean while they do not obſerve the Fulfilling of either Law, which is Love. No body recommends Charity more than they, and no body violates it with greater Impudence. They cry up every where the Efficacy of Divine Grace, which no Catholick denies, and by favouring condemn'd Errors, they offend the Spirit of Grace.

But what vexes us moſt in relation to the Scandal of the Weak, is, that at the Time that the moſt Part of them do theſe Things, or conſent to them when done by others, they cover themſelves under the ſpecious Appearance of a feign'd Severity; they without Intermiſſion boaſt of a more rigid Doctrine, and make great Shew of their Zeal for better directing the Conduct of Chriſtians, and to conform it to the Rule of the Goſpel. Therefore, preſs'd by the Duty of the Apoſtolick Miniſtry, we being willing, in the Sight of all the World, to pull off that pernicious Mask, which

which might occasion the certain Loss of the Souls redeem'd by the Blood of *Jesus Christ*; we warn, in the first Place, our stray'd Brethren, publickly at this Time, and in the Presence of the Universal Church, as we have often done at other Times in private, not to flatter themselves any longer with the Reputation of a more exact Discipline; because that there cannot be true Virtue without Humility, Piety without Obedience, nor Christian Perfection without Charity. But what Humility can that be, obstinately to prefer one's private Opinion to the common Sentiments of their Brethren, and even to the supreme Decision of the Chair of *St. Peter*? What Obedience, to resist the Apostolick Determinations? Lastly, what Charity, to make Use of Affronts and Outrages, to sow every where Occasions of Hatred, Quarrels, and Disputes? Let them therefore, by Favour of the Rays of divine Light, perceive how criminal they make themselves before God and the Church, and to what Dangers they expose themselves. Let them remember that it is written, *That to be unwilling to obey, is a Sin almost like that of Sorcery, and to refuse to acquiesce, is almost as bad as Idolatry.* Let them fear the dreadful and ensuing Judgment of the Almighty, who resists the Haughtiness; and lastly, let them cease to disturb both the Peace of the Church, and the Tranquillity of the State.

As for all you, who throughout the whole World are attach'd to the Apostolick Faith, we warn you like a Father, we request of you, we conjure you, that in order to distinguish well those who come to you dress'd in Sheep-Skins, you make Use of that certain Rule left us by our Lord and Saviour. *viz. You shall know them by their Fruits.* But what Fruits has the Obstinacy of those produc'd, who refuse to submit to our Constitution? They are but too plainly known, and become evident through all the Christian World; and for that Reason, we willingly forbear enlarging thereupon, that we may not rip up the smarting Wounds of our Sorrow. Take Care therefore, dearest Children, and you in particular, who by the Neighbourhood of the Place are expos'd to greater Danger, take Care not to communicate with them; do not believe every Spirit, do not give into divers and strange Doctrines; but follow in all Security, and preserve constantly the wholesome Doctrine of the Holy

*Roman Church*, which keeps inviolably the sacred Trust of the Faith.

As for us, who ought to surpass others no less by our Zeal for the House of God, than by our Dignity, in order to put a timely Stop, according as the present Juncture of Affairs, and Dispositions will permit, to the Excess of those Evils, with which we are threaten'd; chiefly that the Pastors, who are erring, and draw others in with them, may not continue to disperse and rife the Flock of the Lord, without any Body's Opposition; and that the Sheep of *Christ* may not suffer themselves to be led to the Precipice while we are silent, we have resolv'd to publish and declare in general to all the Faithful of *Christ*, what we have judg'd proper to do on this Occasion, which is of the highest Importance.

Be it therefore known to all, who in all Places of the Earth glory in the Name of Catholicks, that we, who, however without any Merit of our own, exercise upon Earth the Function of *Jesus Christ*, the only Son of God, and our Saviour, do not own for true Sons of the Holy *Roman Church* all those, of whatsoever State, Rank, Order, or Condition they be, were they even honour'd with the Episcopal, Archiepiscopal, or what other Dignity soever, even with the Cardinalship, who hitherto have refus'd, or shall for the future refuse to give to our aforesaid *Constitution* a due and absolute Obedience; and that we do not hold them to be, or look upon them as adhering and consenting to us and the Chair of the blessed *Peter*, with which they falsely persuade themselves; but on the contrary, we look upon them as openly disobedient, notoriously contumacious and refractory: And this the rather, because they themselves have been the first who have withdrawn themselves from us and the Holy *Roman Church*, if not by express Words, yet certainly by their Actions, and by several Marks of Obstinacy and Hardness of Heart: We require likewise, that you hold them to be separated from our Charity, and that of the said Holy *Romish Church*; and that consequently we and the Holy *Roman Church* shall for the future have no Ecclesiastical Communion with them; 'till being entirely return'd from their Errors, (which we pray God to grant) and having shaken off all Boldness of Resisting and Disobeying, to give Proofs of true Obedience, which most of them have

have so many Times promis'd to the *Roman Pontiff*, Successor of the blessed *Peter*, and Vicar of *Jesus Christ*, in their solemn Profession of the Catholick Faith, by Oath taken upon the Gospels, they have deserv'd that the said Apostolick See re-establish them in the Communion of Charity, and in the Unity in which they were before.

Lastly, It is to you venerable Brethren, Patriarchs, Primates, Archbishops, and all other Prelates of the Churches, our Joy and our Crown, that we direct the Speech of our Apostolick Love, exhorting you and conjuring you in the Name of the Lord, to employ all the Pastoral Zeal with which you are animated, carefully to keep from infested Pastures, that is to say, from the Novelties of prophane Voices and Doctrines, the Flock of *Christ* committed to your Care; and at the same Time effectually to second our paternal Vigilancy, in bringing back to more salutary Sentiments all those who have deviated, whosoever they are; so that by your constantly professing an inseparable Unity with the Holy *Roman Church*, in the Doctrine of Faith, as most of you have already done in a marvellous Manner, it may appear to all the Christians, that you are far remote from those who have separated from us, and that in Conjunction with us, you disapprove and abhor their damnable Disobedience, and that unless they return from their Error, you hold them for entirely separated from the Charity of the common Society.

God grant that those who have hitherto resisted our humble paternal Remonstrances, may be brought, not only by the Reprimands, Prayers, and strong Reproofs of you all, but also by your breaking all Correspondence with them, to blush with Shame, to be confounded at it, and to convert themselves; and that God may move their Hearts with Repentance, to acknowledge the Truth; that, conformably to the Apostolick Doctrine, we may at last all say the same Thing, and that there be no Schism between us; but that we may be in perfect Union of Mind and of Sentiments, being assisted in all Things by the Succour of the Grace of our Lord *Jesus Christ*, to whom belongs Honour and Glory in all Ages. Amen, &c.

Given at Rome at St Mary Major, in the Year 1718, on the 28th of August, of our Pontificate the 18th Year, &c. Publish'd on the 8th of September in the same Year.



The Cardinal *de Noailles* being so directly pointed at in this Letter, has thought it necessary to appeal from it to a general Council, and publish'd with his Appeal the following Mandate.

**L**EWIS *Anthony de Noailles, &c.* To the Secular and Regular Clergy of our Diocess, Greeting and Benediction.

It is with the utmost Grief that we find our selves oblig'd again to raise our Voice to bring our Complaints to the Tribunal of the universal Church, about the new Letters of our Holy Father the Pope, affix'd at *Rome* on the 8th of *September* last, and directed to all the Faithful.

At the Time that we were wholly employ'd with taking such Precautions as might be capable to prevent the Abuse, which is every Day made of the *Constitution Unigenitus*, to defend Truth, maintain the Honour of the Holy See, the Rights of Episcopacy, and re-establish in the Church of *France* a solid Peace, those who breathe nothing but Trouble and Dissension, have done all they could to inspire the Sovereign Pontiff with disadvantageous Prepossessions about our Disposition and Sentiments, and they are at last gone so far, as to spread throughout Christendom, under the venerable Name of the Head of the Church, a Writing, wherein some Catholick Bishops, zealous against Error, full of Respect for the Successor of the Prince of the Apostles, sincerely keeping to the Center of Unity, are represented with such Colours, as can only be us'd towards Hereticks and Schismatics, to be brought back into the Bosom of the Church.

Though the Care which a Bishop ought to take of his own Reputation, obliges him to remove the Suspicions which People are endeavouring to raise against the Purity of his Faith, and the Sincerity of his Obedience to the Decisions of the Church, the Respect for the Persons who have used those Expressions, which affect us in so sensible a Manner, might perhaps have mov'd us to dissemble, and to be content with Groaning before God upon Account of a Treatment so little deserv'd, and to beseech him to make known to the Head of the Episcopal College the Uprightness of our Intentions, and the Calumnies of those whose Impressions and Counsels his Holiness seems to follow.

But

But the Outrage offer'd to the Character with which we are invested, the most essential Rights of Episcopacy violated, the fundamental Maxims of our Liberties destroy'd, the Laws of Discipline struck at in their most certain Principles, the Disorder and Confusion which the last Letters of his Holiness would occasion in Church and State, by the overturning of the Order of Ecclesiastical Judgments, do not permit us to keep Silence. And though our Appeal of the 3d of *April*, 1717, publish'd on the 24th of *September*, 1718, secures us against all the Attempts which might be intended against us, nevertheless we think we ought to bring a new Appeal from the Letters of his Holiness of the 8th of *September* last, to inform you of all the Grievances and Contraventions to the Canons contain'd in the said Letters.

In taking this Precaution, we most particularly recommend to you, as we have already done, never to depart from the Respect you owe to the Holy Apostolick See, and the sacred Person of the Sovereign Pontiff, and to avoid the two Excesses into which Spirits given to Extrems might lead you; the one to make Use of the Sentiments of Submission which are due to so respectable a Power as that of the Pope, to inspire you with a blind Obedience to the Attempts of the Court of *Rome*; and the other to magnify the same Attempts, in order to extinguish or weaken in your Minds the Veneration and Deference which all the Faithful owe to the Head of the Church.

The Power of our Holy Father the Pope being establish'd by God, never cease, dear Brethren, to respect it. The Chair of *St. Peter* is the Center of the Catholick Unity; remain inviolably united to it. But the Sovereign Pontiff, though rais'd to the highest Dignity, is not, however, exempt from the Surprizes to which he is expos'd through human Weakness, and the Passions of those who surround him, as *St. Bernard* expresses himself in a Letter he wrote to a great Pope, and as the most Holy Pontiffs have themselves often complain'd. Therefore do not receive every Thing that the Officers of the Court of *Rome* may advance, and that may be contrary to the Rules and the Authority of Bishops.

We believe we ought to propose to you for a Model the Example of an illustrious *English* Bishop distinguish'd by his Piety and Learning, his Firmness for the

the Liberties of his Church, and Zeal for the true Honour of the Sovereign Pontiffs, whose Holiness has been confirm'd by Miracles, and who wrote in a Time when the Kingdom of England was so much devoted to the Holy See. That Prelate, finding himself under a Necessity to oppose a Decree of Pope Innocent IV, reconcil'd together both what he ow'd to the Episcopal Character and to the Dignity of the Sovereign Pontiff. I obey (says Robert Bishop of Lincoln, in a Letter to the Pope) *with a filial Respect the Apostolick Orders, but out of Zeal for the Honour of my Father I oppose and resist those Orders which are contrary to the Apostolick Spirit, and discharge thereby the two Obligations the Law of God lays upon me. Nothing (adds that Holy Bishop) can be consider'd as an Apostolick Order, but what is conformable to the Doctrine of the Apostles, and of our Lord Jesus Christ, the Master of the Apostles, whose Person the Pope represents. The Holy See can do every Thing to edify, but nothing to destroy; herein consists the Fullness of Power; but the Letter which I have receiv'd, has no Conformity with the Apostolick Holiness; it is quite contrary and opposite to it; therefore I do not obey it: I resist and oppose it with the Spirit and Sentiments of a respectful Son. Non obedio, contradico; and you cannot (adds farther that learned Bishop, speaking to the Cardinals) decree any Thing hard against me; for my Resistance is neither Disobedience nor Rebellion, it is the Act of a Son who has a particular Veneration for the Honour of his Father and your own.*

For these Causes having call'd upon the Holy Name of God, and after having conferr'd with our venerable Brethren, the Dean, Canons, and Chapter of our Metropolitan Church, who have adher'd to this our Appeal; we order that the Act of Appeal annex'd hereunto be enter'd into the Registers of our Officiality, with the present Mandate, and that it be read, publish'd, and affix'd where-ever Occasion shall require.

Given at Paris, in our Palace, on the 3d<sup>o</sup> of October, 1718.

Sign'd,

L. A. Cardinal de Noailles, Archbishop of Paris.

And Lower, by Order of his Eminence,

Chevalier.

We should here have inserted this new Appeal of the Cardinal de Noailles, but being straiten'd for Want of Room, must refer it to another Opportunity, and shall

shall here only take Notice, that above twenty of the Bishops of *France* have adher'd to the Appeal of the Cardinal, as have likewise many of the Secular and Regular Communities: Most of the Parliaments of the Kingdom have likewise publish'd Arrests against the Pope's Letters of Separation, which they represent as highly injurious to the Liberties of the Kingdom and the Rights of Episcopacy: By all which it appears, that the Affairs of *France* are in great Confusion, and that the Animosities between the Parties are grown to such an Height, that as the Cardinal de Noailles, expresses himself, Things seem to be gone too far to admit of a Reconciliation with the Court of *Rome*; and therefore this bold Stroke of the Pope, at a Time when he knew the Nation to be in a Ferment upon Account of the Altering of the Coin, the exorbitant Pretensions of the Parliament of *Paris* in opposing the Royal Prerogative in that Affair, the Quarrel between the lawful Princes of the Blood and the legitimated Sons of the late King, and the Intrigues of the Spanish Faction against the Quadruple Alliance, the Length, I say, which the Pope has gone at this Juncture to support his unerring Authority, may perhaps be a Means of pulling it down. We proceed now to the Affairs of *Germany*



## G E R M A N Y .

IN the last Register Mention was made of the Treaty of Peace concluded at *Passarowitz* on the 21<sup>st</sup> of July, the Ratifications whereof were exchange'd on the 21<sup>st</sup> of August: This Treaty between the Emperor of *Germany* and the Grand Signior consists of twenty Articles, in Substance as follows,

I. **T**HE first Article regulates the Frontiers of *Moldavia*, *Wallachia*, and *Transilvania*, and secures to his Imperial Majesty the Possession of *Temeswar*, and all the Country on this Side the River *Aluta*, according to the fundamental Condition of the Peace, namely, That each Party shall keep what they possess; so that all the Territories on the East of that River



River shall remain to the *Ottoman Porte*, and those towards the West shall belong to the Emperor. And the said River *Aluta* shall make the Separation of the two Empires, from the Place where it comes out of *Transilvania* to its Entrance into the *Danube*; and from thence, according to the Course of the *Danube* towards *Orsova*, to the Place where the River *Timock* falls into the *Danube*.

II. From the Place where the River *Timock* discharges it self into the *Danube*, the Frontiers of the two Empires are so settled, that *Isperekkania*, with its District, shall belong to the *Turks*, and *Ressovo* to the Emperor; and from thence, between the Mountains towards *Parakin*, which Place is yielded to the Emperor, and *Rasna* to the *Porte*; and passing the lesser *Morava*, between *Schabak* and *Bilana*, and forwards by Land to *Bedka*; and from thence towards the Territory of *Zakolense*, going to *Belina*, as far as the *Duina*; so that *Belgrade*, *Parakin*, *Istolaz*, *Schach*, *Bedka*, and *Belina*, with their ancient Dependencies, are yielded to the Emperor; and *Zokol* and *Rasna*, with their ancient Dependencies shall remain to the *Ottoman Porte*: And the Subjects of both Empires shall mutually enjoy the Liberty of a free Navigation of the *Timock*.

III. From the River *Duina* to the River *Unna*, all the Places open or shut upon the Banks of the *Save*, which are garrison'd with Imperial Troops, shall remain under the Dominion of the Emperor, according to the Preliminary Point of the Peace; so that the *Save* and its Banks shall belong to the Emperor.

IV. All the Places from the Confluence of the *Unna* with the *Save*, as far as the District of the Ancient *Novi*; which is possess'd by the *Ottoman Porte*, and is situate upon the said River; *Jassenowitz* and *Dobiza*, with some Forts and Islands where are Imperial Garrisons, shall, according to the fundamental Article, remain to the Emperor, with their ancient Dependencies.

V. The District of *New Novi*, situate on the Western Bank of *Unna*, which by the Treaty of *Carlowitz*, was given up to the *Porte*, shall be restor'd to the Emperor, with all its Dependencies.

VI. The Frontiers of *Croacia* shall remain on the same Foot as they were regulated by the Treaty of *Carlowitz*.

VII, VIII, and IX. Commissaries shall be named on both Sides, to settle the Frontiers; according to what is here regulated. And also to settle all Things relating to the reciprocal Jurisdictions, for preventing all Disputes thereupon, &c.

X. All Excursions, Hostilities, and Vexations, are prohibited on both Sides, and the Offenders are to be punish'd with Severity.

XI. The Christians of the Roman Catholick Religion shall enjoy the same Liberties in the Ottoman Empire which were granted by former Ottoman Emperors; and according to the Capitulations and Conventions made for that Purpose, it shall be free for the Ambassador of his Imperial Majesty at the Ottoman Porte to acquit himself of the Commissions he shall be charg'd with, relating to Religion and the Pilgrimages in the Holy City of Jerusalem, and other Places.

XII. The Prisoners on both Sides taken in this or the preceding War, shall be set at Liberty within 60 Days after the signing of this Treaty. The *Waywode Nicholas Scarlatti*, his Children and Domesticks, shall be exchange'd in 31 Days, against the Barons *Stein* and *Petrasch*, with their Attendants. And all those who are in Slavery may be redeem'd for the same Price which the Owners gave for them.

XIII. The Merchants on both Sides may exercise their Traffick in all Places according to former Capitulations, and according to what shall be regulated by Commissaries named, on both Sides for that Purpose. The same Advantages shall be granted to the Subjects of his Imperial Majesty which the other Christians enjoy; and for this End the necessary Orders shall be given to those of *Algiers*, *Tunis*, *Tripoli*, &c.

XIV. It shall not be permitted to either of the Parties to harbour Rebels, Robbers, or such who live upon Rooby; but they shall be given up, or punish'd according to their Deserts.

XV. In Order to establish Tranquility in the Frontiers, *Ragotski Berezeni*, *Anthony Esterhafi*, *Forgatz*, *Adam Vay*, *Michael Orschkey*, and other Hungarians, who, during this War, retir'd to the Ottoman Empire, shall be oblig'd to retire from thence, and their Wives shall be permitted to follow them to such Places as shall be appointed.

XVI. Upon the Proposal made by the Plenipotentiaries of his Imperial Majesty, to include the King and Republick of *Poland* in this Treaty, it was answer'd, That there was some Difference between the King and Republick of *Poland*, about the perpetual Peace with the *Ottoman* Empire; but if the *Poles* had any Thing to propose with Respect to *Chocxim*, or other Affairs, they may notify it by Envoys, or Letters, to the *Ottoman* Porte, where every Thing shall be terminated according to Justice and Equity.

XVII and XVIII. And to the End this Truce may be the better establish'd, and a good Understanding restor'd between the two Emperors, Ambassadors shall be sent by both Parties, which shall be according to the usual Customs, &c. And all the Ministers sent from one or the other, shall be provided with Passports and other necessary Securities.

XIX. The present Treaty shall be ratify'd by the two Emperors, and exchange'd upon the Frontiers in the Space of 30 Days or sooner.

XX. This Truce shall last 24 Years; and after that Term is expir'd, it shall be free for both Parties to prolong the same. And for the Confirmation of this Peace, the Han of the *Crim Tartars* shall be expressly forbid to attempt any Thing contrary to the Articles of the present Treaty, under the most rigorous Penalties.

This Treaty has been faithfully executed, on both Sides, in all its material Articles; and Commissaries are appointed for settling the Limits of the two Empires according to it. Immediately after the Ratifications of it were exchange'd, the *Turkish* Bashaws and Governors of the Frontier Towns, publish'd circular Letters, importing, That the Peace being restor'd, Merchants were not only allow'd to trade with all Manner of Freedom in the Dominions of the Grand Signior; but that they should receive all Manner of Protection and Encouragement: The Governors of the Imperial Territories also publish'd the like Declaration; and Trade immediately began to revive at *Belgrade*, which in a short Time is likely to become a very flourishing City, unless the Imperial Ministers restrain the Liberty of the Protestants, and of those of the *Greek* Church.

The Affair of *Rhinfelts*, [which was mention'd in our last, Page 278] is terminated, to the great Satisfaction of the *Roman* Catholicks of the Empire, who acted in this Particular with all the Partiality that the most zealous Bigotry could inspire. The Landgrave, seeing himself abandon'd by his Allies and the lukewarm Protestants of *Germany*, was compell'd to submit to the Will of the Emperor, and not only to evacuate that Fortress, but even to give up the indisputable Right that the *Hessians* had before, That the Troops in Garrison there, should take an Oath to admit them into the Place in Time of War, and suffer them to pass through as often as they should desire it. To these hard Conditions, I say, the Landgrave, a Prince who had deserv'd so well of the Common Cause, was forced to submit, and, what renders it yet more unaccountable, to see himself turn'd, with Violence and Ignominy, out of that Place by those very Powers, who made it not long before an Article in their Treaty with *France*, That that Crown should not oppose that Fortress remaining to the Landgrave of *Hesse-Cassel*, upon his giving a reasonable Satisfaction to the Landgrave of *Rottemburg*. The *Roman* Catholicks have gain'd a double Victory in this Affair: For, first, they recover a strong Fortress that was in the Hands of a Protestant Prince; and in the next Place, this Hardship, (to give it no harsher a Term) to which the Landgrave of *Hesse-Cassel* has been forc'd to yield, serves to encrease the Divisions among the Protestants in the Diet of the Empire and elsewhere.

The War between the Emperor and the King of *Spain* is so interwoven with the Interests of other Courts, particularly with that of *Great Britain*, who is engag'd in the Quarrel, that we choose to omit it in this Place, but refer it till we come to speak of our Domestick Affairs; and the other Transactions in *Germany* being of no great Moment, we shall here only take Notice of the Seizure of the Princess *Sobieski*, (Wife of Prince *James Sobieski*) and the young Princess their Daughter, who was going to consummate her Marriage with the Pretender, to whom she had been marry'd by Proxy some Time before: The Emperor, it seems, so highly resented that such a Match had been concluded with a Princess so nearly related to him, without his Participation, that he caus'd both



Mother and Daughter to be stopp'd the Beginning of *October* last, as they were passing through *Inspruck* in their Way to *Italy*, where they are confin'd in a Monastery: Several Applications have been made to his Imperial Majesty for their Release, but have been ill receiv'd by him, but hitherto without Effect; and whether that Match will go on or not is hard to determine. However it may not be unacceptable in this Place to give a short Account of the Birth and Parentage of that young Princess.

She is third Daughter of Prince *James Sobieski*, the eldest Son of *John Sobieski*, the famous and heroick King of *Poland*, who so gloriously beat the *Turks*, rais'd the Siege of *Vienna*, and rescu'd the Emperor and his Family from impending Ruin, as is well known to all the World. He was the Head of one of the greatest and richest Families of *Poland*, and having serv'd in foreign Wars for his Improvement, he was first made Crown-General, and afterwards, upon the Vacancy of that elective Throne, was chosen King of *Poland*. He was marry'd to a *French* Lady of great Quality and Relations. Her Father was a Brother of the Duke *de Berbune*, a Man of Wit and Bravery, who afterwards renounc'd the World, turn'd Religious, and was made a Cardinal, by the Name of the Cardinal *d'Arquin*, and dy'd at *Rome*.

By that Lady King *John Sobieski* left three Sons, Prince *James*, Prince *Alexander*, and Prince *Constantine*, to all whom he left great Estates; and one Daughter, who is the present Dutches of *Bavaria*, Mother of the young Electoral Princes.

Prince *James Sobieski* had for his first Wife a beautiful *Polonian* Lady, by whom he had two Daughters who are now alive. But it having been a Marriage of Love and Fancy, and the Lady having brought him no Estate, her Daughters have no Provision by any Contract of Marriage, but only by the Good-will of the Father; who soon after the Death of that Lady was marry'd to a Daughter of the Duke of *Nembourgh*, which was then the eldest Male-Branch of the *Palatine* Family, and they have since succeeded to that Electorate, which they now enjoy, the present Elector being Brother to the Princess *Sobieski* the Mother.

The said Daughter of *Newbourg* brought Prince *James Sobieski* a great Estate of her own Inheritance; and this young Lady, who is to be marry'd to the Pretender, is her only Daughter, to whom her Grand-Mother, the Queen of *Poland*, left all her Jewels, Plate, Money, &c. to a great Value.

There were several other Daughters of the Family of *Newbourg-Palatine* all nobly marry'd: One of them is the Mother of the present Emperor: Another is the present Queen Dowager of *Spain*, who lives at *Bayonne*: Another was Queen of *Portugal*, and Mother of the present Princes.

## H O L L A N D.

THE States-General have not yet acceded to the Quadruple Alliance, notwithstanding the pressing Instances of the Imperial and *British* Ministers to engage them to it; while on the other Hand the *Marquess de Beretti Landi*, Embassador of *Spain*, makes neither Threats nor Promises to dissuade them from entering into that Alliance. On the 12th of *October* that Minister, in a Conference he had with the Deputies of the States, made to them the following Speech, and afterwards gave them Copies of it.

YOU have, without Doubt, been apprisd, my Lords, of what pass'd in the Height of *Syracusa*, and in what Manner the *Spanish* Fleet was attack'd, which, after having first saluted the *English*, drew back, and was very far from beginning any Hostilities, or expecting any from the *English*, of which my Master complains so justly, and cannot reflect upon it without Concern. I need not mention here any Particulars of the said Engagement, the same being already known; the more, because Truth and Necessity require, that one should express one self on that Subject in very strong Terms. His Majesty has had the Goodness to inform me, That he impatiently expects the Embassador of my Lords the States-General. And I am order'd, in this juncture of Affairs, to give you stronger Assurances than ever of the entire Confidence his Majesty will repose in this Republick, if she will continue in a perfect and sincere Neutrality, so much the more, because