





- 906 Letter from the Nobility, Barons and Commons of Scotland directed to Pope John wherein they declare their firm Resolutions to adhere to their king Robert the Bruce, *Edinb.* 1703
 —History of Mr. J. Welsh, Minister of the Gospel at Aire, *ib.* 1703—Appendix to the History of the Church of Scotland, 1677—C(unningham) (J.) Essay upon the Inscription of Macduff's Crosse at Fyfe, *Edinb.* 1678—Tarbot (G. Vist.) Vindication of Robert III from the Imputation of Bastardy, *ib.* 1695—[Sibbaldi (R.)] *Phalainologia Nova*, *ib.* 1692—Dalrymple (Sir J.) *Some Authentick Writers and Records, 1567-1572*—Account of the wicked and terrible Confederacy of Betty Laing, *Edinb.* 1704—Relation of the Witches at Pittenweem, *ib.* 1704; and several other exceedingly scarce pieces, *MS. notes by R. Wodrow* in 1 vol. sm. 4to.
 * * * "Collected by Wodrow. Purchased at C. K. Sharpe's sale."
 —*MS. notes by Mr. Gibson Craig.*



- Kent, *portrait, russia gilt, leather joints, g. e. by R. Payne*, 17
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MEMORIAL

ABOUT A

Commission for Visiting Schools, Colleges and Universities.

WHEN Visiting these Nurseries is only
Executive; it may do much good, but
no Harm: Whereas if it be *Legisla-*
tive, an Act thereon (tho' well
mean'd) may Sapp the Foundations of
the Monarchy, State, and Church: And
consequently,

1^{mo}. Such an Act will not, readily, be all'wed, to take from
the Crown, the *Royal Prerogative* of Naming the Persons, which
by the last Parliament, in a Time when uselefs Prerogatives
were not advanc'd: It's declared to be *Inherent* to the Crown;
and the King did actually Nominate the Visitation then Appointed.

This is not strange, For, 1^{mo}. The Erecting of Universi-
ties is *inter Regalia*: So that the Queen has special Interest a-
gainst Abolishing, or Substantially *Altering*, what Her Royal
Predecessors have Established. 2^{do}. If such a Commission en-
dure till Recalled by Parliament: There is no Power left to
Her Majesty, or Her Successors, to stop their Proceedings, or
Regulate their Actings. 3^{io}. What is possible, and not that
only which is *Probable*, is consider'd in the View of making
Laws. But such a standing Commission, through the Alterati-

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Alteration

(2)

on or Troubles of *Times*, will not only have the Command of the Private Freeholds of Professors, and the Publick Foundations of these Bodies Politick: (both which it's Her Majesty's Prerogative to Protect) But likewise to appoint *Teachers*, that may be Disloyal: Yea and *Politicks*, to be taught, that may be adverse to the Royal Family. Not to mention, 4^{to}. That if there be in it no restraint as to matter of *Religion*, there will be no Bar, against Setting up *Jesuits* (who are so Famed for their *Virtuosa-Learning*) nor will *Formula's* against *Papery*, exclude *Athiests*, *Deists*, *Arians*, *Socinians*, &c. against whom Her most Pious Majesty hath such a known and Just Averfation, But further,

2^{do}. Such an Act would not only Inroach upon the Right of the Queen, but likewise upon the most Peculiar Powers of Parliament. It being one of the Wifest Maxims in our Constitution; that the *Legislative Authority*, or Parliamentary Power, ought not to be Delegat.

There are many Important Reasons for this. Such as 1^{mo}. Commissioners of Parliament have a *Personal Trust* from the Nation. 2^{do}. If the Allienation of it, may be in one Case, then why not in two or more? And so on till the Constitution be Surrendered. 3^{to}. Our Fore-fathers have been most Careful that there be no Powers, Except that of the Parliament it self, against whose proceedings there is no Remead. But there could be no Appeal from such a Supream and Sovereign Commission. 4^{to}. Schools and Colleges being the Places in which all the young Nobility, Gentry, and Burrows imbibe their first Principles, both of Religion, Policy and Liberty: The Determining them therein is such a vast Trust, that the Representatives of the Nation may think it safely Lodg'd only with themselves.

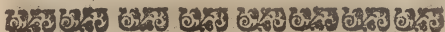
And former Precedents Run to this Purpose, viz. That general Parliamentary Powers are never Transferred on others: tho' in some Bounded Particular Cases, first Consider'd by the Parliament It Self (so as they may know the outmost Extent thereof

thereof, and the Commission may have an Indication of their Mind therein) there be Examples of Parliamentary Authority So the Parliament 1633 did, by Acts, determine the whole Cases of Tēinds, about the Value, Sale, and Years Purchase thereof, &c. The Quantity of Ministers Stipends, &c. Before they trusted the Application to the Commission, for Plantation and Valuation, &c. And in late Instances, the Commission for the Pole 1693, Reported particular Cases with much Distinctness; before the same Special Cases were Remitted with Parliamentary Authority. And the Commission for the Publick Accompts, had no further Power than to Report: Besides that, there is a great Difference betwixt Judicatures Erected by Parliament, who are Ensured by the Standing Law's being their Rule, and Protestation for Remead of Law if they Transgress: and Illimited Commissions, who have no other Restraints than their own Pleasure; Especially in a Matter which is not Restricted to a Single Subject, that can go no further, but is, in its Consequences, Influential on the whole Constitution.

3th. Our Wise Ancestors have had a special Regard to, and Tenderness of Mortifications, And therefore by an Express Act 6. Parliament 1633 (Entituled against the Inverting of Pious Donations) they have Prelimited and Ordained, That For ever hereafter, no such Mortifications in Favours of Colleges, Schools, Hospitals, &c. should be any ways Alter'd, or Chang'd, to any other Use, than that Specifick Use, whereunto they are destinat by the Disposer, &c. And no less was necessary for Encouraging of Private Charities (the Fear of Misapplication whereof, has made the same less Liberal in this Nation, than elsewhere) and for Securing of the Publick Faith in the Erection of publick Universities, Schools and Hospitals.

For

For what is done in one Case, is a Practique for doing it in other. And the Mortifiers of Bursaries, Erectors of Schools, and those who augmented the Salaries of Regents, or other Professors, &c. thought themselves equally safe, with the Founders of *Heriots-Hospital*, the *Maiden-Hospital*, or any Others the like in the Kingdom: Which puts it beyond all Fear, that there will never be a Precedent by such good Patriarchs as now Represent the Nation, that would Render all equally Titubant and Obnoxious.



Printed in the Year 1704.





