

A brief account of the Popes pretences of a Civil Right to the Crown of England, and the Answer thereunto.

That the Pope of Rome hath for some Ages last past pretended to a Sovereign Right over Christian Kings and Princes, cannot be unknown to any, who are acquainted with the writings of their most approved Authors, the Decrees of their Councils, or the Instances of such usurped authority recorded in Histories for these Five Hundred years. The judgment of their Licenced Authors, their Councils, and their Laws in this Case, is excellently published by the Learned Pen of the Right Reverend Bishop of Lincoln; and that the same Doctrine hath been by them generally received, I can bring no greater proofs, than their common practise recorded in History. How many Emperours, Kings, and Sovereign Princes have been *de Facto* deposed by them, how many great Massacres and private Murders have been Encouraged and Defended, how many Tortures, and unheard of Cruelties, how many Treasons, and Damnable Conspiracies to the subversion of whole Kingdoms, have been contrived, and some executed by Jesuits, and other Emissaries of Rome, would require a large Volumn to relate; I shall refer the Reader to a few Authors, for his abundant satisfaction here-
(a) Lib. 1. cap. 9. de Re- Pub.
(b) Popish Treasons & V. supral.
 in. *Thuanus*, *Bodin*, and the Exact Collections of Mr. *Fowles*. Nor was there any place felt the weight of the Popes Iron Rod more grievous than the Kingdom of *England*; hence was he wont to exact vast summes of money, which were as readily paid: and of what esteem it was with him, we may gather from the Character he



gives, when he calls it **Puteus inexhaustus*. And from the time it hath pleased God to set us at liberty from their yoke and burden which neither we nor our Fathers were able to bear, what Damning Censures and Violent Excommunications have been sent out against us, what Secret and Horrible Plots, have been contrived to destroy our Kings and Kingdoms, I hope will never be forgot: and all this not so much to reestablish here the Religion, as the Authority which the Pope hath lost: and the right of that Title which he claims to this Kingdom, he thinks equal to that pretended from *Constantin's* Donation. And to this purpose his Sub-Collector **Polidore Virgil* tells us, that *Ina* was the first King who made this Kingdom of *England* Tributary to the Pope: but he forgets himself pag. 740. where he saith Peter pence was given *Pietatis & Religionis Causa*, for Gods sake, and therefore not by way of Homage and Subjection. This Gift was continued by *Ossa*, *Atulphus*, *Canutus*, and *Edward the Confessor*, who calls it the **Kings Almes*. *William the Conqueror* alloweth this gift, but renounceth all Obedience to the Pope, as appears by *Lanfranks Epist.* **Pope Pascal 2.* in a Letter to *Hen. 1.* calls this Donation *Beati Petri Eleemosyna*, and **Bishop Andrews* tells us, that it was an Alms given to a Hospital at *Rome*, where they used to entertain Pilgrims out of *England*.
 The Second pretended Title is from King *John's* Resignation of the Crown to *Pandolphus* the Popes Legate, and receiving it again under Fealty, and Homage, and at the yearly Tribute of a Thousand Marks. Which Title upon several accounts will appear invalid. First as to matter of Fact; **Sir Thomas Moor*, who could not want all advantages of informing himself in affairs of this nature, denies it, his words are these; *"Some Writers say, that King John made England and Ireland Tributary to the Pope, by the grant of a thousand Marks; we dare surely say again, that this is untrue, and that all Rome neither can shew such a grant, nor ever could, and if they could, it were right nought worth: For never could any King of England give away the Realm to the Pope, or make the Land Tributary if he would, nor no such money is there paid, nor never was. These are the words of that great States-man, who was no enemy to the Popes Authority. But granting there was something done to this purpose,*

purpose, in the presence of a few Peers, and without the Consent of *Amy*, as *Mat. Paris* a Monk of *Saint Albans*, who lived at that time, acquaints us; I shall take my Second Argument to invalidate this Title, from the words of *Sir Thomas Moor* before cited: for if they could at *Rome* shew any such grant, yet it were right nought worth: for never any King of *England* could give away the Realm to the Pope, nor make the Land Tributary if he would. And herein agree the Learned *Grotius*, *Bodin*, and other Lawyers: and the Barons of this Realm were obliged by their Oaths, **Terras & honores Regis omni fidelitate ubique servare cum eo, & contra inimicos & alienigenas defendere*. To preserve together with the King the Territories and Honor of the King, and to defend them against their Enemies and Forraigners. And herewith agrees the Command which the Conqueror laid upon all the Commons; *Firmiter precipimus ut omnes liberi homines totius Regni predicti sint fratres jurati ad Monarchiam nostram pro viribus suis & facultatibus, contra inimicos pro posse suo defendendum, & viriliter servandum. i. e.* We strictly Charge and Command, that all Free-holders in all parts of our Kingdom shall be sworn Brethren, Sworn to defend our Monarchy with their Persons and Estates, to the utmost of their ability, and manfully to preserve it: by which it appears that the Commons were as well as the Lords bound to defend their Country against Usurpations and Invasions; and we doubt not but the same English courage is to be found amongst their posterity, which we find Recorded about the 44. year of *Henry* the third. For when *Pope Alexander* the Fourth demanded a re-vocation of *Adomar* Bishop of *Winchester*, because he was a

as was urged, and not subject to lay Censures, who had been Banished by the joynt consent of the King, Lords, and Commons, for his intolerable Insolence, the Commons gave this resolute answer to the Popes demand, *Peter de Monford* being Prolocutor; *Si Dominus Rex & Regni Majores hoc vellent, (meaning Adomar's revocation from Banishment,) COMMUNITAS tamen ipsius ingressum in Angliam jam nullatenus sustineret.* Though the King, and Peers of the Realm should declare for his return, yet the Commons would by no means endure it. Lastly no man can confer a greater Right upon another, than what is in himself; and that King *John* was an Usurper, is evident from all Histories of that Age; for *Arthur* of Brittain, his Elder Brothers Son, was Thirteen years of Age, when *John* invaded the Throne, but fearing that he might not be long quiet in his Possession, whilst the Right Heir was alive, he Murder'd his Nephew, and imprison'd his Neice *Elianor*, who survived him; and this doth utterly make void his Right to dispose of what he had not right to keep. And of what small account was this pretended Title, not only the Resolutions of the Commons afore mentioned, but also this Letter Subscribed by all the Peers of *England* will abundantly manifest.

The Reader may please to take notice, that the Exemplar whence this was taken is in *Corpus Christi* College Library in *Oxon*, and Recorded by *Mat. Westminster*, and *Walsingham*, and mentioned by *Parsons* in his answer to the Lord Chief Justice *Coks* Reports, but without any Reply, pag. 266. cap. 11. and whereas in that the Names round the Armes are in an antient English letter, the Graver being unacquainted with the Character, for his own ease, and more convenient Reading, hath put them in the Modern.

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Imprimatur,

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Vice-Can. OXON.

O X F O R D.

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