

# REFLECTIONS

Upon the Present State of the

# NATION.

**I**T is a Maxim of the *Law of England* concerning the Government, That there is no *Interregnum*. Of necessity there must be a Change in the Person, yet there is a Continuation of the Government. Which shews the Prudence and Perfection of the Constitution, in preventing that, which of all things is most deplorable, a Failure of Government. This Rule is therefore of that importance, as not to be given up upon the trivial Saying of *Nemo est heres viventis*.

'Tis true, the common and ordinary cause of a Change in the Person that is invested with the *Royal Authority*, is Death.

But we are now in a rare and extraordinary Case, where the King is living, and yet may be said to be divested of the *Royal Office*, as having by his Encroachments upon the Peoples Rights, provoked them to resort to Arms; and being vanquished by that Force, followed with a total Defection from him, and his relinquishing the Kingdom thereupon, without providing any ways for the Administration of the Government.

This seems to be a *Cesser* of this Government, and may in Civil and Politick Construction amount to as much as if he had Died.

But because this is a *Cess* of that nature that requires a Judgment to be made upon it, it seems necessary to have a *Convention* of the Estates of the Nation, to make a Declaration thereupon (for 'tis not for private Persons to determine in the Cases aforesaid, how or when the King has lost his Government) and till such Authoritative Declaration made, the King may be supposed in some kind of possession of the Kingly Office.

But after the Judgment made and declared, there seems to be no difference in the consequence and result of the thing, between such an extraordinary case of the *Cesser* of the *Royal Dignity*, and the case of Death or voluntary Resignation; or as if the King had been profess'd and made himself a Recluse in a Religious House.

Then it must devolve upon the next Heir, her Royal Highness the Princess of *Orange*.

As to the pretended Prince of *Wales*, if there had been no Suspensions as to his Birth, (as there are many violent ones) yet his being conveyed into unknown Places, by Persons in whom no credit can be reposed, and at an Age which exposes him to all manner of Practices and Impostures, touching his

person;



person; then can there hereafter be no manner of Certainty of him, so as to induce the Nation ever to consider any Pretence of that kind.

These things being considered;

First, Whether will not the declaring her Royal Highness *Queen of England*, as next in Succession, be the surest and best Foundation to begin our Settlement upon; rather than upon a groundless Conceit of the Government being devolved to the People, and so they to proceed to Elect a King?

Secondly, If that Conceit of devolving to the People be admitted, Whether must we not conclude, that the Misgovernment of King *JAMES* the Second, hath not only determin'd his Royalty, but put a period to the Monarchy it self? And then 'tis not only a loss as to his Person, but to the whole Royal Family.

Thirdly, Whether those persons that have started this Notion, upon pretence of giving the Nation an opportunity of gratifying His Highness the *PRINCE of ORANGE*, in proportion to His Merits (which it must be acknowledged no Reward can exceed) if they were searched to the bottom, did not do it rather to undermine this Ancient and Hereditary Monarchy, and to give an Advantage to their Republican Principles, than out of any Affection and Gratitude to His Highness? For if the latter was that they had the chief respect to, would it not be the more proper way to declare her *Royal Highness Queen*, which will immediately put the Nation under a regular Constitution and posture of Government? Then it will be capable of expressing its Gratitude to the *PRINCE of ORANGE*, in matters touching even the Royal Dignity it self, without making such a Stroke upon the Government, as the Electing of a King, or making any other immediate Alteration in the right of the Monarchy (before the Parliament is compleated and constituted in all its parts) must amount unto.

**F I N I S.**