

# Cato's LETTER

TO THE

## Bishop of ROCHESTER.

*Let his Habitation be desolate, and let no Man dwell therein: And his Bishoprick let another take.*

SIR,

IN my last I sent you a faithful and impartial Abstract of *Cato's* late Reasonings for Parliamentary Proceedings in an extraordinary manner, upon extraordinary Occasions; which in the Case of the *South Sea* Affair were so highly applauded, that they have established his Reputation, and made him a very popular Writer ever since. It was then esteem'd no Invasion of our *Liberties*, no dangerous Precedent, nor any Breach of our Constitution, to punish a Sett of Men, who were thought to have conspired against the Publick, though they did not come within the Reach of any written Law: On the contrary it was urged, that it was consistent with the first Principals of all Justice, and with the great original Law of Nature and Nations, that it was absolutely necessary to proceed in such an extraordinary Method upon emergent Occasions; and that it was nothing less than *Treason*, and *Conspiring* against the State, to suffer publick Traitors and Conspirators to go unpunished, notwithstanding that they may have evaded the strict Letter of present Laws.

It is therefore matter of just Astonishment, to hear some Men, who are foremost in their Clamours at that Time, and loudest in their Demands for Justice by such Methods, as loud and forward *against* punishing the present Conspirators in the same Manner; and to oppose these Arguments now with equal Zeal and Industry, with which they contended for them then. Then it was Patriotism, Publick Spiritedness, and Love of our Country; Now, striking at Fundamentals, invading our Liberties, and destroying the Rights of the Subject. I cannot therefore do a more proper thing at this Juncture, than to review the Conduct of some of these *Parricides*; which will prove undeniably, that if these Arguments were good and valid against the late *South Sea* Directors, they are much more so against the present Conspirators; this being a much more extraordinary Occasion, and consequently requiring more extraordinary Rigour and Severity. To maintain the contrary, is to maintain that the Injury of a Part is as fatal, as the total Destruction of the Whole; or that the bad Effects of the *South Sea* Scheme, accompanied with all its most terrible Ag-

gravations, can be put in Comparison with the late execrable Design, of subverting our whole established Constitution both in Church and State, of assassinating the Persons of his sacred Majesty, his Family and his ablest Minister; and involving, not only their own Country, but all *Europe*, in Blood and Confusion.

If this is not an extraordinary Occasion for exemplary Justice and Severity, there never was, nor ever will be, an extraordinary Occasion in the World; for that there has been such an execrable Design, can be doubted by no one (unless he be determined against Conviction) who has read the *Report* of the *Committee*, appointed by the *House of Commons* to enquire into that Affair; which contains the strongest Evidence, and most irrefragable and concurrent Testimonies, that such an horrid Conspiracy has been carry'd on by *Persons of Figure and Distinction*, in Conjunction with Traitors Abroad, and their Adherents at Home. I cannot forbear observing here, what every body acknowledges, that this REPORT is drawn up with such Elegance, Perspicuity and Address, as can scarce be equall'd in any Instance of so intricate and perplexed a Nature. A Performance that breaths the Spirit, and shews the Genius of Mr. *PULTENEY*.

*CATO* argues, That "An Attempt to destroy the *Chief Magistrate* of a Commonwealth, or the *General* of an Army in the Field—are certainly *Treasons* everywhere." In this Conspiracy, the Lives of Both have been attempted. *John Plunkett*, in one of his Letters, offers to take off King *GEORGE* by hook or by crook, and proposes shooting the *Ld. CADOGAN*; which latter, or some other Method of destroying him, is confirmed by Evidence *vi-va voce*, upon *Layr's* Tryal.

But what shocks me most, is to find a Reverend B——p (wearing the Character of a Protestant) at the Head of a Conspiracy to overthrow the Church of *England*, the great Bulwark of the Protestant Religion, which he has at the same time engaged himself to maintain; to dethrone and murder a *King*, whom he has often in the most solemn manner sworn to support; and all this in favour of a *Popish Pretender*, whom he has as often and as solemnly abjured.

red. To find this Reverend Father of our Church leagued with perjured Traitors and common Assassins; and to behold One, whose Profession is Peace and Quietness, become the chief Promoter of Rebellion, the Patron of Blood and Confusion! This is a Crime that as yet wants a Name.

What Punishment can be found out that is adequate to such enormous Offences, or sufficient to avenge his injured Country; and to wipe away the Scandal which his Behaviour has reflected upon our excellent Church, upon Christianity, and upon all Religion?

If we revive the Conduct of this wicked Man as it now appears, it must strike us with the most melancholly Apprehensions for the cause of all Goodness, Faith and Moral Honesty, as well as Religion: For what can we think secure, when we behold such daring Impieties transacted under the Disguise of the most sanctified Habit, and the very Being of our Church, undermined by one of its warmest pretended Patrons?

It appears, That he had contracted a great Intimacy and Familiarity with General *Dillon*, a *professed Papist*, who was openly in Arms against King *William* in *Ireland*, and is the Pretender's most industrious Agent, in exciting a Rebellion in these Kingdoms.

It appears, That he advised the said *Dillon* to press the soliciting Supplies; and owns that he has been desired to undertake that Province himself, but that he had hitherto declined it; not from such restraints as should naturally have arisen in the Mind of one of his Character and Function, but merely on account of some ill Success and Mismanagement, in which he owns he had been deeply concerned.

It appears, That he advised *Dillon* to use the same Caution which he himself took, of not trusting any thing of Importance to the Post; and acted within the Shelter and Safeguard of the Laws, that he might the more securely subvert our Happy Constitution.

It appears, That this great Caution made him so extremely careful, as not to let even the Man he trusted most have one Line of his own Hand-writing; which shews that he was solicitous, not to avoid the Guilt of Treason, but only to escape the Punishment due to it, by saving himself from the Danger of legal Conviction.

It appears, that he has holden Correspondence with the Rebel *Marr*, who so lately was in Arms against His Majesty, and has since had a Post of the greatest Confidence and Trust near the Pretender.

It appears, That he lamented the loss of that favourable Opportunity (of the King's visiting his *German Dominions*); encouraging, at the same time, the Pretender to hope for another as favourable.

It appears, That this other favourable Opportunity, was to have been that of the late *Elections*; and it is observable, that the two most Riotous Elections of any throughout the Kingdom, were that of *Westminster*, a place under the immediate Influence of this B——p; and that of *Coventry*, which was animated by *Carte*, one of his Agents, and one employed by him in managing his treasonable Correspondence.

It appears, That he tells him (the Pretender) as soon as God would restore him to his Health, he would use it towards the Prosecution of his Treasons; and in the mean time desires leave to withdraw himself seemingly from any Engagements of that kind; that he might return with greater Zeal and Activity to destroy the Church and State, by placing a *Papish Pretender* on the Throne, in Violation of the most sacred Oaths so frequently taken by him.

In general, it appears, That he has had the Principal Hand in contriving and carrying on this horrid Conspiracy; and that the Pretender and his Agents relied chiefly on his Assistance for the Success of it.

If it be still insisted on, that he ought to be legally convicted by the ordinary Methods of Justice, I reply in the Words of *Cato*, with which I shall conclude this Letter.

“ Questions of this Kind belong, *ad aliud examen*, and ought be brought before an higher Tribunal; the Legislature are the only proper and safe Judges; what is done against all, should be judged by all; Nor are their Resolutions to be confined by any other Rule, than *quid est utile*, *quid honestum*, general Justice, and the general Good. *Religion, Virtue, Common Sense*, and the *Publick Peace and Felicity*, are the only Council to be admitted either for the *Publick* or the *Prisoner*.

“ The *Conspirator* against Mankind ought to know, that no *Subterfuges* or *Tergiversations*; no knavish Subtilties; or pedantick Quirks of *Lawyers*; no Evasions, no *Skulkings behind known Statutes*; no Combinations or pretended Commissions, shall be able to skreen or protect him from *Publick Justice*.

“ He ought to know, that there is a Power in Being that can follow him thro' all his dark Labyrinths and doubling Mæanders; — a Power confin'd by no Limitation, but that of publick Justice and the publick Good; a Power that does not follow Precedents, but makes them; a Power, which has this for its Principle, that *extraordinary Crimes* ought not to be tried by *ordinary Rules*, and that *unprecedented Villanies* ought to have *unprecedented Punishments*.

I am your Humble Servant,

Dicephilus.