

perplexing the Question? No Wonder that I should have employed "so many Fetches" to fathom this deep "Secret."—But the Bylander be the Parson, or his Genius, or who you please, he has given us a pretty Argument, which shews how useful the Study of the Law is, and at the same Time recommends itself strongly to Sinners by its Convenience. *De non apparentibus, et non existentibus, eadem est ratio*—You can prove no more from Things that don't appear, than from Things that don't exist—But the Parson has not been detected with a W---e, therefore, &c.

Do what you will then, unless you be taken (according to the Lawyers Phrase) in the Manner, and nothing can be prov'd against you.—The most lascivious Language, and indecent Behaviour, not to be awed by the Gravity and Censure of the old, nor check'd by the Scorn and Contempt of the young, yea the Confession of the Party himself, whilst smarting in Consequence of the Vice, are no Proofs. "The Parson has never yet been seen in Liquor."—This Assertion, I guess, must be founded upon the Doctrine of an eminent Casuist, who tells us, that "if a Priest be seen in any indecent Action, we ought to account it a Deception of Sight, or Illusion of the Devil, who sometimes takes upon him the Shape of holy Men, on purpose to cause Scandal."

If I had my Religion still to chuse, deplorable indeed would be my Condition, unless I had a better Guide than this Parson.—A real, sincere Christian, not only without one Virtue, but deformed all over with Vice, would be the greatest Prodigy, and his Documents would probably fail in working my Conviction, when his Actions evince, that he never felt the Influence of one divine or moral Truth.—When AUSTIN endeavour'd to bring the Britons in Conformity with, and a Submission to, the Jurisdiction of the Pope, they applied to an Anchorite for his Advice, who answer'd, that as the Essence of Religion consisted in Love and Union, if AUSTIN was an holy Man, and sent of God, they should follow him; but if not meek and lowly, they should judge him not to be his Disciple, who taught Men to know his Yoke by the Meekness and Humility of those, who bore it. AUSTIN having treated these People with an Haughtiness, opposite to the meek Spirit of the Christian Religion, they were deaf to all his Arguments, and their Refractoriness gave Occasion to a Prophecy, he utter'd with great Vehemence, that "since they would not accept the Word of Life, they would suffer Death by the Hands of the English;"—which was afterwards fulfilled, tho' the Power and Influence he had over the English, and the implacable Malice he bore against those, who had impiously denied his Authority, and profanely judg'd of him from his Actions, and not his Professions, may seem to account better for the Confidence of the Prediction, and the Correspondency of the Event, than the real Sanctity of his Character, and his Pretences to Inspiration.—I should be very sorry to see a certain Parson here, possessed with the same Power and Influence, and the same Malignity that now harrows up his Soul, lest he should turn Prophet too, and do more than declare, that he thinks it would be a right Course to cut off the present rebellious Colonists, and re-people America!—Who the Person designed is, that he has described to be one, who, "tho' he will not allow a Dispensation, will not refuse Absolution, &c."—I sincerely declare I can't form the least Guess, because I know none, to whom the Parson can be suppos'd to allude, that it, in any Degree, suits; and perhaps this Passage, for he is very ingenious in the Art of Calumny, was intended to exercise the Conjectures of the Reader, and that he expects, from their Variety, the Christian Satisfaction of bringing many under the Imputation, or his View may be to take off a little of the Odium, that attends his own Character, by attributing some of his Defects to others.—It has been observed, that it all Men were as great Philosophers, Orators and Poets, as Newton, Locke, Demosthenes, and Homer, the Terms *Philosopher, Orator and Poet*, would be discharged out of Language, for, tho' positively used, they are comparatively understood.—As it would be with Accomplishments, so would it be with Vices, and if all Men were such as the Bylander, we should lose the Terms *Profligate, and Vicious*. Hence the favourite Maxim, that "all Men are Rascals" which at least establishes a Truth, the greatest Pyrrhonist will hardly doubt, that he, who advances it, is one.

The Bylander was prudent in not attempting a methodical Answer, but would have been more prudent, if he had not attempted any. None ever suspected his Strength, to be Herculean, or that any Thing would become cleaner from his Hands. "C. D. says he, opens "with observing, that the greatest Objection to his " (the Bylander's) Diffimulation, is the Folly of it, "when not concealed." After having made that, which was a Relative, a general Observation, and suppressed the Words, *if he does not attempt to pick any one's Pockets by soul Tricks*, he proceeds with great Propriety to his Strictures.—This, says he, is Nonsense, "or worse!" Why Nonsense? Is not Diffimulation often detected? Have you not yet felt this, or are you harden'd into absolute Insensibility?—Why was my Observation worse? Did I not plainly enough express my Detestation of your Fraud? And do you think you have palliated it by adding to your other soul Tricks, one more, in misrepresenting a Passage in my Letter, in order to take Occasion, from your Suppression, to vent a little impotent Slander, or a puny Witticism, and display the Extent of your Erudition, in the back'd Story of the Spartan Boy?

I am no Advocate for Hypocrisy, but yet I must tell the Bylander, that in some extremely bad Cases, it may, like Dr. Sterck's Medicines, be proper.—A certain Nobleman having a Living in his Gift, Parson F applied to his Lordship for a Presentation, but his Lordship objected to the Parson's Pretensions, that he was not wicked enough.—Struck with Astonishment at the unexpected Imputation, how, said F, not wicked enough, my Lord! Where is the Man that can out-swear, out-lie, out-drink, or out-whore me?—'Tis very true, replied his Lordship, you are F a very wicked Fellow; but there is one Vice you don't practise. What can that be, said F, Hypocrisy, Mr. F, Hypocrisy. Your other Vices, without this, are not only hurtful to yourself, but to the World too,

from the Contagion of bad Example. Turn Hypocrite, and you'll go to the Devil, without carrying so much Company with you.

When I reflect upon the Abolition of the Writ for burning of Heretics, I always join with Lord Hale, in his *Laus Dei* (Praise be to God)—The Word *Heretic* was of a very extensive Meaning, and, by the bye, of a very fluctuating one too. The Lollards were deem'd to be Heretics, because they thought it not meritorious to go in Pilgrimage to St. Thomas, or to St. Mary of Walsingham, &c. Even a Parson, as pious and moral as the Bylander himself, might be in Danger of Combustion, were this Writ now in Force, & unhappily obnoxious to the Malice of prevailing Power, and, especially, if an officious Sidesman should discover, that he carried into his Desk, or Pulpit, VOLTAIRE'S *DiCTIONNAIRE Philosophique*, tho' undoubtedly a very harmless good kind of Book.—Let not then the Bylander express any more Regret, at the Loss of this *Persuasive* to Orthodoxy. It might indeed give him exquisite Delight to see certain *Maccreants* roasted; but should the Fire be re-kindled, he is not sure, but it might, before extinguished, scorch himself.—Dr. Ayliffe says, the Canon Law reckons no less than Eighty-eight different Sorts or Species of Heresy. How many would the Net of Heresy, with Glosses and Constructions overpread!

The Word *stepping* instead of *stepping* having occur'd in my printed Letter, tho' with other Errata, it was taken Notice of in the next Paper, and the Bylander was informed by the Printers, before the Publication of his last Letter, that they would repeat, in an Advertisement, the Notice; yet the literal Slip was to be insisted on.—What, give up the mighty Advantage! Lose so favourable an Opportunity of shewing the Extent of his Parts, and the Brilliancy of his Wit, in a tiny Pun!—No, the Game was too noble for a Bird of his Potences to forego!—It was a Triumph just suited to the Sublimity of his Genius!

The Word *inferiorem*, instead of *superiorem*, tho' the mere Mistake of the Printers, (as they have very truly and candidly acknowledg'd to the Public) who were directed to print the Bylander's Interpolation from the Note to his own Letter, has been the Source too of great Exultation.—Such Inadvertencies, he vainly hopes, may be ranked with his Misquotations, calculated for the infamous Purpose of imposing upon the Public.—But permit me to examine this Passage of the Bylander a little more minutely, and we shall find it replete with those Ingredients, which so remarkably distinguish all his Productions, *Impudence—Folly—Knavery*.—Having taken Notice of *inferiorem* instead of *superiorem*, he proceeds thus; "Mark the Ingenuoufness of C. D. "He first grossly abuses the Bylander for a Blunder—"That Blunder is his own, and he has Grace enough "to acknowledge it in the next Gazette." Here he would make the Reader believe, that the Fault I found with his Quotation, from *Godolphin*, was his inserting *inferiorem* instead of *superiorem*; and then, after attempting to fix this Blunder upon me, he flatters himself, his Readers will be such blind Dupes as to believe, that my whole Charge of Interpolation, being confin'd to this single Word, is effectually refuted.—But, if the Reader will cast his Eye upon this Passage of my Letter, he will at once see, that I don't charge the Bylander with what he calls a *Blunder of mine*, but with a *gross premeditated Piece of Fraud* of his own, in making *Godolphin* speak of the *Churches of Maryland*, and lay down Rules for their Government, in a Book which was written before any Churches were established in the Province. It is against the general Tenor of his spurious Quotation, as far as it regards the *Churches of Maryland*, and not against any particular Word that my Objection lies, so that here we have him again at his old Trick of *misrepresenting*.—But not to dwell too long upon this Point, I will just call upon him to shew;

I. That I have grossly abused him for a Blunder, in inserting the Word *inferiorem*, for *superiorem*, whereas it makes no Part of my Charge, as has been fully shewn.

II. "That the Blunder was mine," whereas the direct contrary appears, by the positive Testimony of the Printers, already published.—

III. "That I acknowledge the Blunder to be my own in the next Gazette."—The Passage in the Gazette stands thus:—"In our last Gazette, in the Papers first struck off, the following Errors in the Piece, sign'd "C. D. escap'd the Press," among which is the Error at present in Question. Now this, I apprehend, is as expressly the Acknowledgment of the Printers, as Terms could make it; yet this Man says, that it was the Acknowledgment of C. D. and has the Assurance to talk about Grace, at the very Instant he was uttering so graceless a Falshood.

Here then, Reader, we find in the Space of about Three Lines, no less than Three gross palpable Strokes of our Author's Mendacity, which, with a Multitude of similar Instances, already produc'd, and not even attempted to be disprov'd, may serve to shew how much he writes like a Gentleman.—After having fix'd upon me this *disingenuous Blunder* in the Manner we have seen, he exultingly cries out—"Who deserves the Pump and the Horse-Pond, &c."—This being a Question, improper to be decided either by you or me, I would most willingly submit it to any Twelve honest Men and competent Judges in the Province; and, Parson, to shew you, that I desire to take no Advantage of you, as a Stranger, I will give you Leave to pick them about your own Parish.

I have again turn'd to *Littleton*, §. 431, and Lord Coke's Comment upon it, and can find no more than I before discover'd and declar'd in my former Letter.

His Quotation from *Co. Litt.* 136, was, that "an Incumbent has an actual Freehold in the Church for his Life, from which he is not removeable but by a Course of Law, according to the Practice of the Ecclesiastical Courts."

I observ'd before, that *Co. Litt.* 136, treats on the Subject of *Villanage*. I also before turn'd to *Litt.* §. 136, and cou'd find nothing to countenance the Assertion; and I undertake to say, that it is neither to be found in the Book, nor is the Position true.

The Substance of *Litt.* §. 136, is, that if "Tenants, by *Frank Almoign*, fail to do Divine Service, viz. to make Oisons, Prayers, Masses, and other divine Services, for the Souls of their Grantors, and of their Heirs, that are dead, &c. the Lord may not distrain, because the

Services reserved on the Tenure are not certain, but may complain to their Ordinary or Visitor."—That the Bylander should have read, and not understood *Litt.* would not have been surprizing; but, that he should insist upon his Reference to prove the Assertion in his first Letter, shews an invincible Power of Face.—Even in the Case of this superstitious Tenure, if the Services reserved, were certain, the Lord might distrain.—Whether certain or uncertain, the Power of Correction might be in the King, or in a Layman, if the Visitor.—That an Incumbent is removeable by the Temporal Laws, in various Instances, it would be unnecessary to prove.

The *Churches of Maryland*, says he, tho' they exactly correspond with Lord Coke's Description of *Donatives*, are yet in the Act of Assembly, mentioned as *presentative*. It is not a very pleasant Task to have to do with a Man, who pretends to argue, and yet will not, or cannot advance his Principles, and draw his Conclusions.—A mere Dealer in Squibs and Scraps, who hopes to escape, like the Ink-Fish, in the Obscurity he contrives.—In what do our Churches correspond with the Idea of *Donatives*? Not, I suppose, on Account of the Patron's Foundation or Endowment, but because an Appointment has all the Effects of Presentation, Institution and Induction, in the Case of a *Benefice Presentative*. "The Act of Assembly, says he, speaks of them as *presentative*."—How so? Not surely in the Sense of Presentation, in order for Institution. Our Churches are donative, having Regard to the Ceremony, sufficient to constitute an Incumbency or *Pleary*. They are made so by the Act of Assembly, by which they were founded, established and endowed. Suppose the Act to be repealed, and we shall have no Church. Had the Bylander kept up the Idea of the *Church of Maryland*, and not talked about the *Church of England*, he would have avoided the strange Absurdities he has fallen into. The Bishop of London once claimed the Jurisdiction of Ordinary, upon the Bylander's Principle of Law, under which Pluralities are tenable. Upon the same Principle, a Vestry, it seems, claims the Right of Patronage, and this Principle being admitted, it might be contended, that there is not a Church or Incumbent in Maryland.—When old Foundations are weaken'd, and Land-Marks remov'd, the Inconvenience of discrepant Opinions is to be expected.

"Present to a Vestry!" What does the Intimation mean? Do any Vestries claim the Power of Institution? The Word *present*, is used in the Act in a very proper Signification, tho' differently from the Import of it, when applied to *Benefices Presentative*.—Here the Bylander may exercise his critical Acumen with as much Self-complacency, and as much Absurdity, as he did on the Word *Admission*. He may tell us, that Lord Coke defines Presentation to be the Act of the Patron, offering a Clerk to the Bishop for Institution, and that the Word *present*, must have only one Meaning annexed to it, tho' capable of more, and that Meaning too which will make it Nonsense, when there is another that will make it Sense.

The Words "present, induce, or appoint," in the Act, are synonymous, a very common Thing in framing of Laws. Lord Macclesfield observes, that the best Rule, in the Construction of a Statute, is to observe the Will of the Legislature. In the case of a Donative, if the Patron be disturbed, the Writ runs, that he may be permitted to *present*, and the peculiar Nature of the Case is afterwards set out. Sir H. Spelman observes, that "this Form shews the antient Method of Investiture before the Decretals, and increasing Authority of of the Canons gained upon the Laity—that the Word *present* denoted no more than the Patron's sending to, or placing an Incumbent in the Church. To *present*, imports the same as to *give*, so that to present a Person to the Church, was all one with giving the Church, or constituting or appointing in the Church, a fit Person.—So, in the case of a Bishop, the Words of the Writ are—that he be permitted to *present*."—Presentation therefore, (Selden says) when Institution was not practised, meant the same with "Donation and Investiture." Here then can be no Difficulty in fixing the Meaning of the Word *Present*, in our Act. The Will of the Legislature is plain, that the Minister *presented*, without other Ceremony, shall be entitled to the Benefice. The Donation and Investiture are thereby compleated. Institution is not, nor can be practised.—It may not be amiss, however, as a Caution, to take Notice, how this Practice of Institution sprang up, and expanded itself.—When a Benefice was to be conferr'd upon a mere Layman, who, as such, was incapable of it, he was, as Blackstone observes, presented to the Bishop to receive Ordination, who was at Liberty to admit or refuse him; but, when a Clerk or Orders, was to have the Benefice, he was invited by the sole Donation of the Patron, 'til about the Middle of the 12th Century, when the Pope and the Bishops endeavour'd to introduce a kind of Feodal Dominion over ecclesiastical Benefices, and, in consequence thereof, began to claim and exercise the Right of Institution *universally*, as a spiritual Investiture." This Instance may serve to shew how necessary it is for the Laity to be vigilant, and to resist with Firmness, the first Advances to ecclesiastical Incroachments. At first the Canons were, insidiously, said to be—*Neque Leges humane, sed divine, sed Documenta quedam* (neither human nor divine Laws, but Precepts only.—After the Canons had been received, the Tone was changed. They became *Leges Legum, Leges Imperii* (the most sacred Laws to be observed before all other.) To them the Authority of Princes, and the Rights of Nature, were to crouch. Gregory advised Austin to move cautiously.—"Let them not, said he, see all we aim at, lest we gain nothing—let the Fountain be open'd, and the Stream will not fail us."

The Word *induct*, in the Act, tho' it implies a precedent Institution, in the case of a *Presentative* Living, is also proper in that of a *Donative*, in which there is no Institution. What has been already observed, proves it; and moreover, the Form in an Appointment to a Donative, when conferr'd by the Patron, without having any Concern with the Ordinary, runs properly in this Manner:—"I A. B. have given and granted, and by the Tenor of these Presents do induce B. A. into the corporal Possession of such a Church. Burn 533." He repeats his Definition from Lord Coke—"Admission is, when a Bishop upon Examination admits

a Clerk as able," "if this be an im- If this be not im- Man. The Admiss- only of the Bishop- to serve, but does n- ing necessary for th- intermedial Step, is surely intentional- Cure or Benefice: Word is capable of- Signification, and t- cause relative to- that however the W- or in Company, wh- Place, the Propriety- nation in a particula-

He has given us to- cal Definition of an A- palm it upon Lord C- Respect and Venerat- to that great Oracle- of a Definition was to- Difference; but it is- Letter, this would t- confusn. Should a N- continued within Lin- tion of his absurd- Square might be a T-

How miserably has- roly.—Pope's Serje- the Talents of those- and Talbot, in their- fander has as proper- the former of whom- Species of Eloquenc- he modestly has put- the present Lord Ma- Time, any Compun- meant only to tickle- self the Wit and Ele- problematical. The- Petulance and Obcen- than his Vanity allow- only a Wit, and a P- Sage of the Law, a- but also an inquisit- just been reading D- Account of the consec- in this Way, have be- Eagerness of his Cur- could not but raise- enough to bring the E- by imported Africans.

If the Word *give*, *manicate*—in the Bi- prove me to be a "ing it in the same M- be a scratched Divine- "giving!" Yes, but- Why then the Questio- little impotent Malic- *Verjus*. Surely, when- he must have been som- have been strongly un- ALE, for such an In- hardly be ascrib'd to- pidity.

He speaks of *Parsons* than their own; but i- with, who can't read- his Prayer, I must give- strive to be more hone- impudent Boasts of his- in his Favour, when h- and the Object of un- Degree detested, that- Six Families in the P- dares not even shew h- ploy a few Hours no- Bible, tho' he should- that he may avoid the- Bible is quoted, wheth- and of shuffling and c- what is not there, or c- spect to modest Wome- obscene Ribaldry; and- in public, insinuate th-

The Sight of an "doubtless, be very dro- be greatly heighten'd, Monkey on his Back Viol-

How satisfactorily c- misquoting the Act of- nor by attempting to j- Right and Remedy; b- potent Exclamation, w- of his Ballads.—"V- "Words, Petition and- Mr. Bylander, when y- the very Terms of it, your own, of a Signifi- then make it the Foun- totally perverts the S- us pursue him for a M- with his Exclamations- a Chambermaid.—" adjacent!" Which- Argument—"One of- "Lord Gbatbam said, "ever enter'd the He- is this Man's Assurance- of the Lawyers, as wel- cerning Men, to be ag- of the Act, and yet ha- all, with the utmost C- even attempting to pro- gument, in Support of- "Fuss to find a Bishop- "well!"—Softly-

can no more certify th- will have just the same- would have, and no m- br's Power of fixing and- for it!—Where are t-