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Mr. *ASGILL*'s
APOLOGY
FOR AN
OMISSION
IN HIS
LATE PUBLICATION.

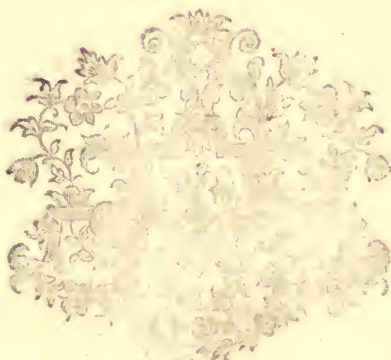


L O N D O N,

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THE HISTORY OF THE
ARTS AND MANUFACTURES
OF GREAT BRITAIN AND
IRELAND
BY J. H. MILLAR



LONDON: Printed by J. H. MILLAR, in Pall-mall, 1771.

THE
APOLOGY.

WITHOUT Offence to the Law,
I hope I may tell a piece of an
old Story of a Welch Judg.
Who being to condemn a Pri-
soner, convict of a Capital Crime, gave this
Sentence upon him :

Look you ! you Prisoner at the Bar !
Your Country have found you guilty.

And the Sentence of the Law is,

That you go from hence to the place from
whence you came,

And from thence to the place of Execu-
tion :

And so I wish Mercy to your Soul.

*Upon which the Goaler was carrying away the
Prisoner.*

*But a Justice of Peace next the Judg, whis-
per'd him ;*

*Your Lordship hath omitted a material part
of the Sentence :*

That when he comes to the place of Execution, he is to be hang'd.

And, well remember'd ! *said the Judg.*

And on that calls out,

Hark ye, you Goaler ! bring that Fellow back again :

Then said, Look you, Friend ! you must be hang'd too.

Now since my late Publication, I have met with this Reproof, from some of my Readers :

'Tis true, you have added to your Post-script the special Oath of Abjuration, as a Memorandum against Perjury ;

But you have omitted a material Act of Parliament, that makes the same Offence High Treason too.

And well remember'd (said I).

*And tho I can't recal my Publication,
I'll send this Three-penny Messenger after it.*

Hark ye, you honest Men ! that intend to forswear your selves,

I am no Judg, nor have any Commission to pronounce Sentence ;

But if you'l consult your Alphabet, you'l find,

That Treason and the Triangle near Paddington, both begin with the same Letter.

You know what I mean : A Word to the Wise !

And (whether you or any one else believe me or no) I did not omit this Intelligence out of my late

late Publication, with any Intention to find an
Occasion for this Apology.

~~But finding by other of my Readers, that
the Oath I did subjoin to that Publication, was
a Novelty to them;~~

~~I do not know but several things in the Se-
quel may be so too.~~

And tho all her Majesty's Subjects are not
equal to one another in their own distinct Qua-
lities and Estates;

Yet they being all equally subject to her Ma-
jesty and the Laws,

It seems reasonable that all should be equally
inform'd what those Laws are.

And Laws bound up together in large Vo-
lumes being not every one's reading,

A more brief Communication of them seems
no Prejudice to the Publick:

And this I make my Apology for the Sequel.

An

*An EXTRACT of several
Acts of Parliament relating
to the Settlement of the
Crown, the Rights and Li-
berties of the Subject, and
the Security of the Prote-
stant Religion, as by Law
established.*

1 W. & M.
Sessio. 2.
cap. 2.

*An Act for Declaring the Rights and Li-
berties of the Subjects, and Settling the
Succession of the Crown.*

THE Lords and Commons in Par-
liament having first claim'd, de-
manded, and insisted upon (as the
undoubted Rights and Liberties
of the Subjects of *England*) several Articles,
therein mention'd to have been violated by
the late King *James*, by the Assistance of
divers

divers evil Counsellors, &c. in order to subvert and extirpate the Protestant Religion, and the Laws and Liberties of the Kingdom ;

The Crown is settled upon their then Majesties King *William* and Queen *Mary*, and the Survivor of them.

Remainder to the Heirs of the Body of Queen *Mary*.

Remainder to her present Majesty (then Princess of *Denmark*) and the Heirs of her Body.

Remainder to the Heirs of the Body of King *William*.

Excluding all Papists, or marrying Papists : And in such case the Crown to descend to the next Protestant in the Settlement.

An Act for the frequent Meeting and Sitting of Parliaments. ^{6 W. & M. cap. 2.}

THAT a Parliament shall be holden once in three Years at the least.

And none to continue longer than three Years, to be accounted from the Day on which (by the Writ of Summons) the Parliament is to meet.

After the Death of *Queen Mary*, and of
Prince William late Duke of *Gloucester*

12 & 13
W. 3.
Sef. 1. c. 2.

An Act for the further Limitation of the
Crown, &c.

THE Crown (after the Decease of his
then Majesty King *William*, and of her
present Majesty, and in default of Issue of
her Majesty and of the said King *William*)
is settled upon the Princess *Sophia*, Electress
and Dutches Dowager of *Hanover* (Daugh-
ter of Princess *Elizabeth*, late Queen of *Bo-
hemia*, who was Daughter of King *James* the
First) and the Heirs of her Body being Pro-
testants.

Provided, That each in that Succession
shall join in Communion with the Church
of *England* as by Law establish'd.

And if not a Native of *England*, this Na-
tion not to be oblig'd to engage in any War,
for Defence of any Dominions not belonging
to the Crown of *England*, (without Consent
of Parliament.)

And that none but Natives (except born
of *English* Parents) shall then be

Of the Privy-Council,

Or Members of either House,

Or enjoy any Office or Place of Trust
Civil or Military,

Or

Or have any Grant of Lands or Hereditaments from the Crown.

And Judges Commissions to be *Quamdiu se bene gesserint*.

And no Pardon under the Great Seal pleadable to an Impeachment by Commons in Parliament.

An Act for the Attainder of the Pretended Prince of Wales of High Treason. ^{13 & 14}
W.3. c. 3.

WHEREAS the Pretended Prince of *Wales* hath, since the Decease of the late King *James*, by the Incitation and Encouragement of the *French* King (being bred up and instructed to introduce the *Romish* Superstition and *French* Government into these your Majesty's Kingdoms) openly and traitorously, with design to dethrone your Majesty, assumed the Name and Title of *James* the Third, King of *England*, *Scotland*, and *Ireland*, and caus'd himself to be so proclaim'd in the Kingdom of *France*, in manifest Violation of your Majesty's most Lawful and Rightful Title to the Crown of these Realms, and of the several Acts of Parliament made, as well for Recognizing of the same, as for Settling the Succession of the Crown, contrary to the Duty of his Allegiance, and to the disturbing of the Peace of these your Majesty's Kingdoms: To the end

B

therefore

therefore that your Majesty's good and loyal People of *England* assembled in Parliament may, in the most solemn manner, express their utmost Resentment of so great an Indignity done to your Majesty's most Sacred Person and Government; and that the said Traitor may be brought the more certainly and speedily to condign Punishment: May it please your Majesty that it may be enacted, and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament assembled, and by the Authority of the same, That the said pretended Prince of *Wales* stand and be convicted and attainted of High Treason, and that he suffer Pains of Death, and incur all Forfeitures as a Traitor convicted and attainted of High Treason.

II. And for preventing traitorous Correspondence between your Majesty's Subjects, and the said pretended Prince of *Wales*, or his Adherents, be it further enacted by the Authority aforesaid, That if any of the Subjects of the Crown of *England*, from and after the first Day of *March*, one thousand seven hundred and one, shall, within this Realm or without, hold, entertain, or keep any Intelligence or Correspondence in Person, or by Letters, Messages, or otherwise, with the said pretended Prince of *Wales*, or with any Person or Persons employ'd by him, knowing

knowing such Person to be so employ'd ; or shall by Bill of Exchange, or otherwise, remit or pay any Sum or Sums of Mony for the Use or Service of the said pretended Prince of *Wales*, knowing such Mony to be for such Use or Service ; such Person so offending, being lawfully convicted, shall be taken, deem'd, and adjudg'd to be guilty of High Treason, and shall suffer and forfeit as in Cases of High Treason.

III. And be it further enacted, That where any of the Offences against this Act shall be committed out of this Realm, the same may be alledg'd and laid, enquir'd of, and try'd, in any County of this Kingdom of *England*.

An Act for further Security of his Majesty's ^{13 & 14}
Person and the Succession of the Crown, &c. ^{W. 3. c. 6.}

ENacts the Oath of Abjuration ; and to maintain the Crown according to the two Acts of Settlement, &c. makes it High Treason to endeavour to deprive her present Majesty (then Princess of *Denmark*) from her then Succession to the Crown.

r Anne,
cap. 22.
in the Ses-
sion conti-
nu'd from
the King's
Death.

*An Act to declare the Alteration in the Oath of
Abjuration, &c.*

WHEREBY the Form of that Oath is
alter'd, by inserting her Majesty in-
stead of his late Majesty ; *viz.*

IA.B. do truly and sincerely acknowledg,
profess, testify, and declare in my Con-
science, before God and the World, That
our Sovereign Lady Queen *ANNE* is Law-
ful and Rightful Queen of this Realm, and
of all other her Majesty's Dominions and
Countries thereunto belonging. And I do
solemnly and sincerely declare, That I do
believe in my Conscience, that the Person
pretended to be Prince of *Wales*, during the
Life of the late King *James*, and since his
Decease pretending to be, and taking upon
himself the Stile and Title of King of *Eng-
land*, by the Name of *James* the Third, hath
not any Right or Title whatsoever to the
Crown of this Realm, or any other the Do-
minions thereto belonging: And I do re-
nounce, refuse and abjure any Allegiance or
Obedience to him. And I do swear, That
I will bear Faith and true Allegiance to her
Majesty Queen *ANNE*, and Her will de-
fend to the utmost of my power, against all
traitorous Conspiracies and Attempts what-
soever,

soever, which shall be made against her Person, Crown, or Dignity. And I will do my best Endeavour to disclose and make known to her Majesty, and her Successors, all Treasons and Traitorous Conspiracies, which I shall know to be against Her, or any of them. And I do faithfully promise, to the utmost of my power, to support, maintain, and defend the Limitation and Succession of the Crown against him the said *James*, and all other Persons whatsoever, as the same is and stands limited by an Act, intituled, *An Act declaring the Rights and Liberties of the Subject, and settling the Succession of the Crown*, to her present Majesty, and the Heirs of her Body, being Protestants: And as the same, by one other Act, intituled, *An Act for the further Limitation of the Crown, and better securing the Rights and Liberties of the Subject*, is and stands limited after the Decease of her Majesty, and for Default of Issue of her Majesty, to the Princess *Sophia*, Electress and Dutchess Dowager of *Hannover*, and the Heirs of her Body being Protestants. And all these things I do plainly and sincerely acknowledg and swear, according to these express Words by me spoken, and according to the plain and common Sense and Understanding of the same Words, without any Equivocation, mental Evasion, or secret Reservation whatsoever. And I do make this Recognition, Acknowledgment,

ledgment, Abjuration, Renunciation, and Promise, heartily, willingly, and truly, upon the true Faith of a Christian.

So help me God.

This is the Oath added to the Postscript to the Defence, but is here inserted again in its proper place.

1 Anne,
cap. 17.
*The first
Parlia-
ment sum-
mon'd by
her Ma-
jesty.*

An Act for enlarging the Time for taking the Oaths, &c.

Sect. 3. **T**IS made High Treason, by any Overt Act, to attempt to deprive or hinder the next in Succession to the Crown, according to the two Acts of Settlement.

4 Anne,
cap. 4.

An Act naturalizing the Princess Sophia and the Issue of her Body, Exclusive of Papists.

4 Anne,
cap. 8.

An Act for the better Security of her Majesty's Person and Government, and of the Succession to the Crown in the Protestant Line.

TIS made High Treason to affirm by Writing or Print, That her Majesty is not Rightful Queen; or that the pretended Prince

Prince of *Wales*, or any other Person, have Right, other than according to the two Acts of Settlement.

And Premunire to affirm the same, by Preaching, Teaching, or advisedly Speaking.

And in case of her Majesty's Demise,

The Parliament then in being,

The Privy-Council,

Lord Chancellor or Keeper,

Lord Treasurer,

Lord President of the Council,

Lord Privy-Seal,

Lord High Admiaal,

And all Great Officers of the Queen's Household,

And all Officers Civil and Military,

Are to continue six Months, unless sooner alter'd by the Successor.

And the Privy-Council with all convenient speed to proclaim the next Protestant Successor (according to the said Acts of Settlement) on pain of High Treason.

And all Officers refusing their Commands therein made guilty of High Treason.

And if such next Successor be then out of the Realm,

1. The ArchBp of *Canterbury*,
 2. Lord Chancellor or Keeper,
 3. Lord Treasurer,
 4. Lord President of the Council,
 5. Lord Privy-Seal,
 6. Lord High Admiral,
- } for the
time be-
ing,

And

And 7. Lord Chief Justice of the Queen's-Bench for the time being,

Shall be Lords Justices in the name of the Successor, to execute all Acts of Government.

And that the next Successor (at any time during her present Majesty's Life) by three Instruments under Hand and Seal, may appoint other Persons (being natural-born Subjects of *England*) to be added to the other seven Lords Justices, of which the Majority (not less than five) may act.

Of which three Instruments,

The Successor's Resident shall have one.

The Archbishop of *Canterbury* one.

Lord Chancellor or Keeper one.

And in case of her Majesty's Death without Issue,

To be open'd in Privy-Council.

If no such Nomination, then the other seven Lords Justices to act :

But not to dissolve the Parliament without direction of the Successor :

Nor to assent to any Bill for altering the Act 13 & 14 *Car. 2.* for Uniformity of Common-Prayer, &c. on pain of High Treason.

A Previous Act to the Act of Union, for Securing the Church of England as by Law established. 5 Anne;
cap. 5.

ENacts, That the Act 13 Eliz. for the Ministers of the Church to be of sound Religion ;

And the Act 13 Car. 2. for Uniformity of Common-Prayer, &c. (other than the Clauses repealed)

Shall remain in full force :

And that this Act shall be a fundamental part of the Union, and be express'd in the Act of Union.

The Act of Union.

5 Anne,
cap. 8.

ENacts, according to the second Article, That the Succession to the Monarchy of the United Kingdom of *Great Britain*, (After her Majesty, and in default of her Royal Issue)

Be and remain to the Princess *Sophia*, and the Heirs of her Body being Protestants :

Exclusive of Papists, or Persons marrying Papists, according to the former Acts of Settlement of the Crown of *England*.

And confirms (*in hæc verba*) the previous Act for securing the Church of *England*.

With a previous Act (*in hac verba*) for securing the Protestant Religion and Presbyterian Church-Government in *Scotland*.

And according to the 25th Article, all Laws or Statutes in either Kingdom, inconsistent with the Articles of Union, are declar'd void.

6 Anne,
cap. 7.

An Act for Security of her Majesty's Person and Government, and the Succession of the Crown of Great Britain in the Protestant Line.

ENACTS the same Clauses of Treason and Premunire, and the same Oath of Abjuration, in relation to the United Crown of *Great Britain*, as is before (4 *Anne*) for the Crown of *England*.

And that the Act 6 *W. & M.* for frequent Parliaments in *England*, shall extend to *Great Britain*.

And that any Nomination of additional Lords Justices, already made by the next Successor, shall hold good for *Great Britain*.

An Act for better Security of her Majesty's Person and Government, &c. ^{6 Anne,}
^{cap. 14.}

ENACTS the taking the Oath of Abjuration by Officers in *Scotland*, as was before in *England*.

And two Justices there may summon any Person, and tender the Oath:

And Refusers adjudg'd Popish Recusants convict.

Act for further Provision for the Election of the sixteen Peers in Scotland. ^{6 Anne,}
^{cap. 23.}

ALL the Peers (Electors) are to take the Oaths of Allegiance and Supremacy,
And subscribe the Declaration,
And take the Abjuration-Oath.

And no Person at any Election for Members of the House of Commons for *England*, or *Scotland*, refusing to take the Abjuration-Oath (which may be tender'd by the Sheriff or chief Person taking the Poll) to be admitted to vote. ^{sect. 13.}

NOW tho I understand that some People are pleas'd to be so very angry with my late Publication, as to wish me dead for it, (more ways than one;)

Yet I am not so angry with them.

For that (in truth) it is those Laws themselves (which I have here extracted) that these angry Men wish dead, (tho not exclusive of me, as I verily believe them.)

Here's a fine Bundle of Revolution-Craft indeed! (say they.)

Not so much as a Chance or a Loop-hole left for a Popish Successor to shew his Parts here, (tho he should be of the Right Line;)

Or tho we should ever so much long for him;

And should be so big with Expectations of him, that we should miscarry for want of him.

But (Thanks to our Stars) these Laws (for all these Men) are alive and in good health:

I saw 'em all but yesterday.

And that my single Evidence may not be taken,

I send

I send out this second Appearance of them, to all to whom these Presents shall come.

And tho I have heard old People tell Stories of second Apparitions that use to fright Folks,

Don't be afraid of 'em, Readers :

Those Laws will bite no body but those that play naughty Tricks, in telling Lyes and forswearing themselves.

And even for those Malecontents that don't like 'em, they have a proper Remedy against them, (if they please to take it :)

For which I can quote them a Case in point.

A very fat Gentleman (who was advis'd by his Physicians that his Health depended much upon Sleep) lodging near a Watch-house, from whence he was frequently disturb'd with nocturnal Commotions (anglize Noises in the Night, for I intend this Three-penny Cut for the common People) gave a Lawyer three Guineas for his Advice ;

Whether he could not oblige the Constable to remove his Watch.

The Lawyer told him, That was a Point not yet settled in the Law-Books :

But this the Lawyer was clear in,

That his Client might move his Lodging.

Now 'tis very probable, that these Acts of Parliament for settling and securing the Crown in the Protestant Line of the Royal Family, may disturb some Persons, who are advis'd by their own Consciences, that their chief Dependencies are upon a Popish Successor.

But

But what of all that?

Must the Laws and Rights of the Crown, and the Security of the Protestant Religion, and the Subjects under it, be sacrific'd to the Humours of a few Men, who would have it so?

And so (forsooth) because some People of our Parish don't care to eat Flesh in Lent, all the rest of their Neighbours must, in compliment to them, throw their Beef and Mutton to the Dogs:

And because there are some infected Invalids in an Army, all the rest must quit the Camp.

No! no! there's a shorter Cut for a Cure than this!

They that are discontented with the Laws of their Country, may depart in contempt of the Courts that made 'em:

There's room enough upon the Continent.

And the same contrary Winds that hinder them from bringing their Mahomet hither, will waft them over to him.

And so these infected angry Men may embark for Removal of their Lodgings as soon as they please.

And for those that are in health and good-humour, 'tis better for them to be joggled out of their Sleep now and then with a little Noise, than to be caught napping in a Lethargy.

But methinks they begin to trim a little, to compound their Projection.

Do but try our Man (say they) upon an Essay;

See for Love, and buy for Mony.

Not altogether unlike a Fellow about Town some Years ago, that pretended to teach all Wind-Musick upon a Tobacco-Pipe, for two Guineas a-piece: And if any of his Scholars did not like the Trick when they saw it, they should have one of their Guineas again.

But for my own part, I have but little Mony, and can't spare half of it, to see a Trick that I know already.

And they that are fond of that Speculation, may (for Sixpence) see The Character of a Popish Successor, lately publish'd, without being at the expence of trying the Experiment.

But I shall raise more Choler by this way of Writing.

For Writing and Reading are in themselves commendable things.

But 'tis the way of Writing at which the Offence is taken.

And this is the Misfortune of an Author, That unless some are angry with him, none are pleas'd.

Which puts him under this Dilemma, That he must either ruin himself, or his Printer.

But to prevent either (as far as I can) I would rather turn Trimmer, and compound too.

And to end all Quarrels with my Readers, (if they please to accept the Proposal)

(And to shew withal that I am no Dogmatical Author)

I now say to them all (in Print) what I once did to one of them (by Word of Mouth)

Whoever meets with any thing in what I publish, which they don't like,

Let 'em strike it out.

But to take off part of the Odium from me,

They say others write like me,

In short Paragraphs:

(An easy part of a Mimick)

But with all my heart!

I don't care who writes like me,

So I don't write like them.

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