

RICHARD OVERTON

An Arrow against all Tyrants and Tyranny
(12 October, 1646)

AN
ARROW
AGAINST ALL TYRANTS

And Tyrany, shot from the Prison of New-gate
into the Prerogative Bowels of the Arbitrary House
of Lords. and all other Usurpers and Tyrants
Whatsoever.

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steriall power, the naturall and Nationall rights, freedoms and pro-
perties of Mankind are discovered, and undeniably maintained; the
late oppressions and inroachments of the Lords over the Commons
legally (by the fundamentall Lawes and Statutes of this Realme,
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London*) condemned; The late Presbyterian Ordinance (invented
and contrived by the Diviners, and by the motion of Mr. *Bacon* and
Mr. *Tass* read in the House of Commons) examined, refused, and
exploded, as most inhumaine, tyranicall and Barbarous.

By *RICHARD OVERTON*

Prerogative Archer to the Arbitrary House of Lords, Their
Prisoner in New-gate, for the just and legall properties, rights and
*freedoms of the Commons of England: Sent by way of a Letter
from him, to Mr. Henry Martin, a Member of the
House of Commons.*

IMPRIMATUR
Reclat Justitia.

Printed at the backside of the Cyclopiam Mountains, by *Martin Clow
Clergy*, Printer to the reverend Assembly of Divines, and are to
be sold at the signe of the Subjects Liberty, right oppo-
site to persecuting Court. 1646.



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Richard Overton, *An Arrow against all Tyrants and Tyranny, shot from the Prison of Newgate into the Prerogative Bowels of the Arbitrary House of Lords and all other Usurpers and Tyrants Whatsoever ...* (London, 12 October, 1646)

Editor's Introduction

To make this edition useful to scholars and to make it more readable, I have done the following:

1. inserted and highlighted the page numbers of the original edition
 2. not split a word if it has been hyphenated across a new line or page (this will assist in making word searches)
 3. added unique paragraph IDs (which are used in the "citation tool" which is part of the "enhanced HTML" version of this text)
 4. retained the spaces which separate sections of the text
 5. created a "blocktext" for large quotations
 6. moved the Table of Contents to the beginning of the text
 7. placed the footnotes at the end of the book
 8. formatted short margin notes to float right
 9. inserted Greek and Hebrew words as images
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Sir,

TO every Individuall in nature, is given an individuall property by nature, not to be invaded or usurped by any: for every one as he is himselfe, so he hath a selfe propriety, else could he not be himselfe, and on this no second may presume to deprive any of, without manifest violation and affront to the very principles of nature, and of the Rules of equity and justice between man and man; mine and thine cannot be, except this be: No man hath power over my rights and liberties, and I over no mans; I may be but an Individuall, enjoy *my selfe* and my selfe propriety, and may write my selfe no more then my selfe, or presume any further; if I doe, I am an encroacher & an invader upon an other mans Right, to which I have no *Right*. For by naturall birth, all men are equally and alike borne to like propriety, liberty and freedome, and as we are delivered of God by the hand of nature into this world, every one with a naturall, innate freedome and propriety (as it were writ in the table of every mans heart, never to be obliterated) even so are we to live, every one equally and alike to enjoy his Birth-right and priviledge; even all whereof God by nature hath made him free.

And this by nature every one desires aimes at, and requires, for no man naturally would be befooled of his liberty by his neighbours craft, or inslaved by his neighbours might, for it is natures instinct to preserve it selfe, from all things hurtfull and obnoxious, and this in [4] nature is granted of all to be most reasonable, equall and just; not to be rooted out of the kind, even of equall duration with the creature: And from this fountain or root, all just humain powers take their original; not immediately from God (as Kings usually plead their prerogative) but mediately by the hand of nature, as from the represented to the representors; for originally; God hath implanted them in the creature, and from the creature those powers immediately proceed; and no further: and no more may be communicated then stands for the better being, weale, or safety thereof: and this is mans prerogative and no further, so much and no more may be given or received thereof: even so much as is conducent to a better being, more safety and freedome, and no more; he that gives more, sins against his owne flesh; and he that takes more, is a Theife and Robber to his kind: Every man by nature being

a King, Priest and Prophet in his owne naturall circuite and compasse, whereof no second may partake, but by deputation, commission, and free consent from him, whose naturall right and freedome it is.

And thus Sir, and no otherwise are you instated into your sovereign capacity, for the free people of this Nation, for their better being, discipline, government, propriety and safety, have each of them communicated so much unto you (their *Chosen Ones*) of their naturall rights and powers, that you might thereby become their absolute Commissioners, and lawfull Deputies, but no more; and that by contraction of those their severall Individuall Communications confer'd upon, and united in you, you alone might become their own naturall proper, sovereign power, therewith singly and only impowred for their severall weales, safeties and freedoms, and no otherwise: for as by nature, no man may abuse, beat, torment, or afflict himselfe, so by nature, no man may give that power to an other, seeing he may not doe it himselfe, for no more can be communicated from the generall then is included in the particulars, whereof the generall is compounded.

So that such so deputed, are to the *Generall* no otherwise, then as a Schoole-master to a particular, to this or that mans familie, for as such an ones Mastership, ordering and regulating power, is but by deputation, and that *ad bene placitum*, and may be removed at the parents or Head masters pleasure, upon neglect or abuse thereof, and be confer'd upon another (no parents ever giving such an absolute unlimited[5] power to such over their children, as to doe to them as they list, and not to be retracted, controuled, or restrained in their exorbitances) Even so and no otherwise is it, with you our Deputies in respect of the Generall, it is in vaine for you to thinke you have power over us, to save us or destroy us at your pleasure, to doe with us as you list, be it for our weale, or be it for our wo, and not to be enjoyed in mercy to the one, or questioned in justice for the other, for the edge of your own arguments against the King in this kind, may be turned upon your selves, for if for the safety of the people, he might in equity be opposed by you in his tyranies oppressions & cruelties, even so may you by the same rule of right reason, be opposed by the people in generall, in the like cases of distruction and ruine by you upon them, for the safety of the people is the Sovereigne Law, to which all must become subject, and for the which all powers humane are ordained by them, for tyranny, oppression and cruelty whatsoever, and in whomsoever, is in it selfe unnaturall, illegall, yea absolutly anti magisteriall, for it is even destructive to all humane civill society, and therefore resistable.

Now Sir the Commons of this Nation, having impowred their Body Representative, wherof you are one, with their own absolute Sovereignty, thereby Authoritively and legally to remove from amongst them all oppressions and tyranies, oppressors and tyrants, how great soever in name, place or dignity, and to protect, safegard, and defend them from all such unnaturall monsters, vipers and pests, bred of corruption or which are intrusted amongst them & as much as in them lies, to prevent all such for the future. And to that end, you have been

assisted with our lives and fortunes, most liberally and freely, with most victorious and happy successes, whereby your Armes are strengthened with our might, that now you may make us all happy within the confines of this Nation, if you please; and therefore Sir, in reason, equity and justice, we deserve no lesse at your hands, and (Sir) let it not seem strange unto you, that we are thus bold with you for our own.

For by nature we are the sons of *Adam*, and from him have legitimately derived a naturall propriety, right and freedome, which only we require, and how in equity you can deny us, we cannot see; It is but the just rights and prerogative of mankind (whereunto the people of England, are heires apparent as well as other Nations) which we[6] desire: and sure you will not deny it us, that we may be men, and live like men; if you doe it will be as little safe for your selves and posterity, as for us and our posterity, for Sir, look what bondage, thraldome, or tyranny soever you settle upon us, you certainly, or your posterity will tast of the dregs: if by your present policy and (abused) might, you chance toward it from your selves in particular, yet your posterity doe what you can, will be liable to the hazard thereof.

And therefore Sir, we desire you help for your own sakes, as well as for our selves, chiefly for the removall of two most insufferable evils, daylie encroaching and encreasing upon us, portending and threatning inevitable destruction, and confusion of your selves, of us, and of all our posterities, namely, *the encroachments and usurpations of the House of LORDS, over the Commons liberties, and freedoms, together with the barbarous, inhumaine, blood-thirsty desires and endeavours of the Presbyterian Clergy.*

For the first, namely, *the exorbitances of the LORDS*, they are to such an hight aspired that contrary to all presidents the free Comoners of *England* are imprisoned, fined & condemned by them (*their incomputent illegall, unequall, improper judges*) against the expresse letter of *Magna char.* chap. 29. (so often urged and used) that no free man of *England shall be passed upon, tryed, or condemned, but by the lawfull judgement of his equals, or by the Law of the Land, wth* as saith Sir *Edw. Cooke* in his exposition of *Mag. chap.* 28. last li. is *Per pares*, by his peeres, that is, by his equals. And page 46. branch 1. 2. 5. in these words;

1. *That no man be taken or imprisoned, but per legem terræ, that is, by the common Law, Statute Law or custome of England: For these words, per legem terræ being towards the end of this chapter, doe referre to all the pretended matters in this chapter, and this hath the first place, because the liberty of a mans person is more precious to him then all the rest that follow, and therefore it is great reason, that he should by law be relieved therein, if he be wronged, as hereafter shall be shewed.*

2. *No man shall be disseised, that is, put out of seison, or dispossessed of his free-hold, that is, lands or livelyhood, or if his liberties or free customes, that is, of such franchises and freedoms, and free customes, as belong to him by his free birthright; unlesse it be by the*

lawfull judgement, that is verdict of his equals (that is of men of his own condition) or by the Law of the Land (that is to speak it once for all) by the due course and processes of Law.

3. *No man shall be in any sorts destroyed (destruere, 1. quod prius[7] structum & sactum suit; ponitus evertere & dimere) unlesse it be by the verdict of his equals, or according to the Law of the land.*

And chapter 29. of *Magna Charta*, it is said *secundum legem & consuetudinem Anglia*, after the Law and custome of *England*, *non Regis Anglia*, not of the King of *England*, lest it might be thought to bind the King only, *nec populi Anglia*, nor of the People of *England*, but that the Law might tend to all, it is said, *per legem terræ*, by the Law of the Land. *Magna chapta*, 29.

Against this ancient and fundamentall Law, and in the very face thereof (saith Sir *Edward Cooke*) he found an Act of the Parliament made in the 11. of *Hen.* the 7. chap. 3. that as well justices of Peace without any finding or presentment by the verdict of 12. men, upon the bare information for the King before them, should have full power and authority, by their discretions to hear and determine all offences and contempts committed or done by any person or persons against the forme, ordinance, and effect of any Statute made and not repealed: by colour of which Act, shaking this fundamentall Law, (it is not credible) saith he what horrible oppressions and exactions (to the undoing of infinite numbers of people) were committed by Sir *Richard Empson* Knight, and *Edmund Dudley*, being Justices of the Peace through *England*, and upon this unjust and injurious act, (as commonly in the like cases it falleth out) a new Office was erected, and they made masters of the Kings Forfitures.

But at the Parliament holden in the 1. of *Hen.* 8. chap. 6. this Act of *Hen.* 7. is receited, made void and Repealed, and the reason thereof is yeilded, for that by force of the said Act, it was manifestly known that many sinister, crafty, and forged informations had been pursued against divers of the Kings Subjects, to their great damage and unspeakable vexation: (a thing most frequent and usuall at this day and in these times) the ill successe whereof, together with the most fearfull end of these great Oppressors should deterre others from committing the like, and should admonish Parliaments in the future, that in stead of this ordinary and precious tryall *Per legem Terræ* they bring not in an absolute and parciall tryall by discretion, *Cooke 2. institute folio. 51.*

And to this and the Judgement upon *Symon de Bereford*, a Commoner, in the 4. yeare of *Edw.* 3. is an excellent precedent for these times (as is to be seen upon record in the *Tower*, in the second Roll of[8] Parliament held the same yeare of the said King, and delivered into the *Chancery* by *Henry de Edenston* Clerk of the Parliament) for that the said *Simon de Bereford* having counselled, aided and assisted *Roger de Mortimer* to the murther of the Father of the said King; the King commanded the Earles and Barons in the said Parliament Assembled, to give right and lawfull judgement unto the said *Symon de Bereford*; But the Earles, Barons

and Peers came before the Lord the King in the same Parliament, and said with one voice; that the aforesaid *Simon*, was not their Peer or equall, wherefore, they were not bound to judge him as a Peer of the Land: Yet notwithstanding all this, the Earles, Barons and Peers (being over swaid by the King) did award and adjudge (as judges of Parliament, by the assent of the King in the said Parliament) that the said *Simon* as a traitor & enemy of the Realm, should be hanged & drawn, and execution accordingly was done: But as by the said *Roll* appeareth, it was by full Parliament condemned and adjudged as illegall, and as a precedent not to be drawn into example; the words of the said *Roll* are these, viz.

And it is assented and agreed by our Lord the King, and all the Grandees in full Parliament, that albeit the said Peers as judges in full Parliament took upon them in presence of our Lord the King, to make and give the said Judgement by the assent of the King, upon some of them that were not their Peers, (to wit Commoners) & by reason of the murther of the Leige Lord, and destruction of him, which was so neer of the blood royall and the Kings Father, that therefore the said Peers which now are, or the Peers which shall be for the time to come, be not bound or charged to give judgement upon others then upon their Peers, nor shall doe it; but of that for ever be discharged, and acquit, and that the aforesaid Judgement now given be not drawn into example or consequent for the time to come, by which the said Peers may be charged hereafter to Judge others then their Peers, being against the Law of the Land, if any such case happen, which God defend.

Agreeth with the Record.

William Collet.

But notwithstanding all this, our Lords in Parliament take upon them as Judges in Parliament to passe judgement and sentence (even of themselves) upon the Commoners which are not their Peeres, and[9] that to fining, imprisonment, &c. And this doth not only content them, but they even send forth their armed men, and beset, invade, assault their houses and persons in a warlike manner, and take what plunder they please, before so much as any of their pretended, illegall warrants be shewed, as was lately upon the eleventh of August 1646. perpetrated against mee and mine, which was more then the King himselfe by his legall Prerogative ever could doe, for neither by verball commands or commissions under the Great Seale of *England*, he could ever give any lawfull authority to any Generall, Captaine, or person whatsoever without legall triall and conviction, forcibly to assault, rob, spoile or imprison any of the free Commoners of *England*: and in case any free Commoner by such his illegall Commissions, Orders or warrants before they be lawfully convicted, should be assaulted, spoiled, plundered, imprisoned, &c. in such cases his agents and ministers ought to be proceeded against, resisted, apprehended, indicted and condemned (notwithstanding such commissions) as Trespassers, Theeves, Burglarers, Felons, Murderers both by Statute and common Law, as is enacted and resolvd by *Magna Charta*, cap. 29. 15. *Eliz.* 3. stat. 1. cap. 1, 2, 3, 42. *Eliz.* 5. cap. 13. 28. *Eliz.* 1. Artic. sup. chartas, cap. 2. 4. *Eliz.*

3. *cap.* 4. 5. *Eliz.* 3. *cap.* 2. 24. *Eliz.* 3. *cap.* 1. 2. *Rich.* 2. *cap.* 7. 5. *Rich.* 2. *cap.* 5. 1. *Hen.* 5. *cap.* 6. 11. *Hen.* 2. *cap.* 1. 106. 24. *Hen.* 8. *cap.* 5. 21. *Jacob.* *cap.* 3.

And if the King himselfe have not this Arbitrary power, much lesse may his Peeres or Companions, the Lords over the free Commons of *England*. And therefore notwithstanding such illegall censures and warrants either of King or of Lords (no legall conviction being made) the persons invaded and assaulted by such open force of Armes may lawfully arme themselves, fortifie their Houses (which are their Castles in the judgement of the Law) against them, yea, disarm, beat, wound, repress and kill them in their just necessary defence of their own persons, houses, goods wives and families, and not be guilty of the least offence, as is expresly resolved by the Statute of 21. *Edw. de male factoribus in partis*, by 24. *Hen.* 8. *cap.* 5. 12. *Hen.* 6. 16. 14. *Hen.* 6. 24. 35. *Hen.* 6. 12. *E.* 4. 6.

And therefore (Sir) as even by nature and by the Law of the Land I was bound, I denyed subjection to these Lords and their arbitrary creatures; thus by open force invading and assaulting my house person, &c. no legall conviction preceding, or warrant then shewen; but[10] and if they had brought and shewen a thousand such warrants, they had all been illegall antimagisteriall & void in this case, for they have no legal power in that kind, no more then the King, but such their actions are utterly condemned, and expresly forbidden by the Law: Why therefore should you of the Representative Body sit still, and suffer these Lords thus to devour both us and our Lawes?

Be awakned, arise and consider their oppressions and encroachments, and stop their Lord-ships in their ambitious carere, for they do not cease only here, but they soar higher & higher, & now they are become arrogators to themselves, of the natural Sovereignty the Represented have conveyed and issued to their proper Representors, even challenge to themselves the tittle of the *Supreamest Court of Judecature in the Land*, as was claimed by the Lord *Hounsden*, when I was before them, which you may see more at large in a printed letter published under my name, intituled, *A Defiance &c.* which challenge of his (I think I may be bold to assert) was a most illegall, Anti-parliamentary, audacious presumption, and might better be pleaded and challenged by the King singly, then by all those Lords in a distinction from the Commons: but it is more then may be granted to the King himselfe, for the Parliament & whole Kingdom whom it represents is truly and properly the highest Supream power of all others, yea above the King himselfe:

And therefore much more above the Lords, for they can question, Cancell, disanull and utterly revoake the Kings own Royall Charters, Writs, Commissions, Pattents, &c. Though ratified with the Great Seale, even against his personal wil, as is evident by their late abrogation of sundry, Patents, Cōmissions, writs, Charters, Lone, Shipmony &c. yea the body Representative have power to enlarge or retract the very prerogative of the King, as the Statute *de prærog. Reg.* and the Parliament Roll of 1. *Hen.* 4. num. 18, doth evidence, and therefore their power is larger and higher then the Kings, and if above the Kings, much more

above the Lords, who are subordinate to the King, and if the Kings Writs, Charters &c. which intrench upon the weale of the People, may be abrogated, nul'd and made voide by the Parliament, the Representateve body of the Land, and his very prerogatives bounded, restrained & limited by them, much more may the Orders, Warrants, Commitments &c. of the Lords, with their usurped prerogatives over the commons and People of *England* be[11] restrained, nul'd and made void by them, and therefore these Lord must needs be inferiour to them.

Further the Legislative power is not in the King himselfe, but only in the Kingdome and body Representative, who hath power to make or to abrogate Lawes, Statutes &c. even without the Kings consent, for by law he hath not a negative voyce either in making or reversing, but by his own Coronation Oath, he is sworne, *to grant fulfill and defend all rightfull Lawes, which the COMMONS of the Realme shall chuse, and to strengthen and maintain them after his power*; by w^{ch} clause of the oath, is evident, that the Cōmons not the King or Lords) have power to chuse what Lawes themselves shall judge meetest, and thereto of necessity the King must assent, and this is evident by most of our former Kings and Parliaments, and especially by the Raignes *Edw. 1. 2. 3. 4. Rich 2 Hen. 4. 5. & 6.* So that it cannot be denied, but that the King is subordinate and inferiour to the whole Kingdome and body Representative: Therefore if the King, much more must the Lords vaile their Bonets to the Commons and may not be esteemed the upper House, *or Supream Court of Judicature of the Land.*

So that seeing the Sovereigne power is not originally in the King, or personally terminated in him, then the King at most can be but chief Officer, or supream executioner of the Lawes, under whom all other legall executioners, their severall executions, functions and offices are subordinate; for indeed the Representers (in whom that power is inherent, and from whence it takes its originall) can only make conveyance thereof to their Representors, vicegerents or Deputies, and cannot possibly further extend it, for so they should go beyond themselves, wich is impossible, for *ultra posse non est esse*, there is no being beyond the power of being: That which goes beyond the substance and shaddow of a thing, cannot possibly be the thing it selfe, either substantially or vertyually, for that which is beyond the Representors, is not representative, and so not the Kingdomes or peoples, either so much as in shaddow or substance,

Therefore the Sovereigne power (extending no further then from the Represented to the Representors) all this kind of Soveraynity challenged by any (whither of King Lords or others) is usurpation, illegitimate and illegall, and none of the Kingdomes or Peoples, neither are the People thereto obliged: Thus (Sir) seing the Sovereigne[12] or legislative power is only from the Represented, to the Representors and cannot possibly legally further extend: the power of the King cannot be *Legislative*, but only *executive*, and he can communicate no more then he hath himselfe; and the Sovereigne power not being inherent in him, it cannot be

conveyed by, or derived from him to any, for could he, he would have carried it away with him, when he left the Parliament: So that his *meere prerogative creatures*, cannot have that which their *Lord and creator* never had, hath, or can have; namely, the *Legislative power*: For it is a standing rule in nature, *omne simile generat simile* every like begetteth its like; and indeed they are as like him, *as if they were spit out of his mouth*.

For their proper station will not content them, but they must make incursions & inroads upon the Peoples rights and freedoms, and extend their prerogative patten beyond their Masters compasse; Indeed all other Courts might as well challenge that prerogative of Sovereignty, yea better then this Court of Lords. But and if any Court or Courts in this Kingdome, should arrogate to themselves that dignity, to be the supreame Court of Judicatory of the Land, it would be judged no les then high Treason, to wit, for an inferiour subordinate power to advance and exalt it selfe above the power of the Parliament.

And (Sir) the oppressions, usurpations, and miseries, from this prerogative Head, are not the sole cause of our grievance and complaint, but in especiall, the most unnaturall, tyranicall, blood-thirsty desires and continuall endeavours of the Clergy, against the contrary minded in matters of conscience, w^{ch} have been so vailed, guilded and covered over, with such various, faire and specious pretences, that by the common discernings, such wolfeish, canniball, inhumaine intents against their neighbours, kindred, friends and countrymen, as is now clearely discovered, was little suspected (and lesse deserved) at their hands; but now I suppose they will scarce hereafter be so hard of believe, for now in plain termes, and with open face the Clergy here discover themselves in their kind, and shew plainly that inwardly they are no other but *ravening wolves, even as roaring Lyons wanting their pray, going up and down, seeking whom they may devour*.

For (Sir) it seems these cruell minded men to their brethren, have by the powerfull agitation of M. *Taet* and M. *Bacon*, two members of the House, procured a most *Romish inquisition Ordinance*, to obtain an[13] admission into the House, there to be twice read, and to be referred to a Committee, which is of such a nature, if it should be but confirmed, enacted, and established, as would draw all the innocent blood of the Saints, from righteous *Abel*, unto this present upon this Nation, and fill the land with more Martyrdomes, tyranies, cruelties and oppressions, then ever was in the bloody dayes of Queen *Mary*, yea or ever before, or since: For I may boldly say that the people of this Nation never heard of such a diabollicall, murthering, devouring Ordinance, Order, Edict or Law in their Land as is that;

So that it may be truly said unto England, *we to the inhabitants thereof, for the Divell is come down unto you, (in the shape of the letter B.) having great wrath, because he knoweth he hath but a short time*, for never before was the like hear'd of in *England*; the cruel villanous, barbarous Martyrdomes, murthers and butcherys of Gods People, under the papall and Episcopall Clergy, were not perpetated or acted by any Law, so divelish, cruell and

inhumain as this, therefore what may the free People of *England* expect at the hands of their Presbyterian Clergy, who thus discover themselves more fierce and cruel than their fellows? Nothing but hanging, burning, branding, imprisoning, &c. is like to be the reward of the most faithful friends to the Kingdome and Parliament, if the Clergy may be the disposers, notwithstanding their constant magnanimity, fidelity and good service both in the field and at home, for them and the State:

But sure this Ordinance was never intended to pay the Souldiers; their arrears if it be, the independents are like to have the best share, let them take that for their comfort: but I believe there was more *Tyth providence*, than *State thrift* in the matter, for if the Independents, Anabaptists, and Brownists, were but sincerely addicted to the *DVE PAYMENT of TYTHES*, it would be better to them in this case than, *two-subsidy men*, to acquit them of *Fellony*.

For were it not for the losse of their *Trade*, and spoiling their *custome*, an Anabaptist, Brownist, Independent and Presbyter were all one to them, then might they without doubt have the *Mercy of the Clergy*, then would they not have been entered into their *Spanish Inquisition Calender for absolute Fellons* or need they have feared the popish soule murthering Antichristian *Oath of Abjuration* or *branding in the left cheeke with the letter B.* the new Presbyterian *Mark of the [14] Beast* for you see the *Devill* is now againe entered amongst us in a new shape, not like an Angell of light, (as both he and his servants can transforme themselves when they please) but even in the shape of the letter B; from the power of which Presbyterian *Belzebub* good Lord deliver us all and let al the People say Amen; Then needed they not to have feared their Prisons, their fire and faggot, their gallows and halters, &c. The strongest *Texts* in all the Presbyterian *new moddle of Clergy divinity*, for the maintenance & reverence of their cloth, and confutation of errours; for he that doth but so much as question that priest fatning-Ordinance for Tythes, Oblations, Obventions, &c. doth flatly deny the *fundamentals of Presbytrie*, for it was the first stone they laid in their building, and the second stone, the prohibition of all to teach Gods word but themselves, and so are *ipso facto* all *Fellons*. &c.

By this (Sir) you may see what bloody minded men those of the black Presbytrie be, what little love, patience, meeknes, long suffering and forbearance they have to their Brethren; neither doe they as they would be done to; or doe to others as is done to them; for they would not be so served themselves, of the Independents, neither have the Independents ever sought or desired any such thing upon them, but would beare with them in all brotherly love; if they would be but contented to live peaceably and neighbourly by them, and not thus to brand, hang, judge and condemne all for *Fellons*, that are not like themselves. Sure (Sir) you cannot take this murthering, bloody disposition of theirs for the Spirit of Christianity, for Christian *chairety suffers long, is kind, envieth not, exalteth not it selfe, seeketh not its own is not easily provoked, thinketh no evill, beareth all things, beleeveth all things, hopeth all things,*

endureth all things; but these their desires and endeavours are directly contrary.

Therefore (Sir) if you should suffer this bloody inroad of Martyrdome, cruelties and tyrannies, upon the free Commoners of *England*, with whose weale you are betruſted, if you ſhould be ſo inhumaine, undutiſfull, yea and unnaturall unto us, our innocent blood will be upon you, and all the blood of the righteous that ſhall be ſhed by this Ordinance, and you will be branded to future generations, for Englands *bloody Parliament*.

If you will not think upon us, think upon your posterities, for I cannot ſuppoſe that any one of you would have your children hang'd[15] in caſe they ſhould prove Independents, Anabaptiſts, Browniſts; I cannot judge you ſo unnaturall and inhumaine to your own children, therefore (Sir) if for our own ſakes we ſhall not be protected, ſave us for your children ſakes, (though you think your ſelves ſecure,) for ye may be aſſured their and our intereſt is interwovne in one, if wee periſh, they muſt not think to ſcape. And (Sir) conſider, that the cruelties, tyrannies and Martyrdomes of the papall and epiſcopall Clergy, was one of the greateſt inſtigations to this moſt unnaturall warre; and think you, if you ſettle a worſe foundation of cruelty, that future generations will not taſt of the dreags of that bitter cup?

Therefore now ſtep in or never, and diſcharge your duties to God and to us, and tell us no longer, that ſuch motions are not yet *ſeaſonable, and wee muſt ſtill waite*; for have we not waited on your *pleaſures, many faire ſeaſons and precious occaſions and opportunities theſe ſix yeares. even till the Halters are ready to be tyed to the Gallowes*, and now muſt wee hold our peace, and waite till wee be all impriſoned, hang'd, burnt and confounded? Blame us not (Sir) if we complain againſt you, ſpeak, write and plead thus with might and maine, for our lives, lawes and liberties, for they are our earthly *ſummum bonum* wherewith you are chiefly betruſted; & whereof we deſire a faithful diſcharge at your hands in eſpeciall, therefore be not you the men that ſhall betray the blood of us and our posterities, into the hands of thoſe bloody black executioners: for God is juſt, and wil avenge our blood at your hands; and let Heaven and earth bear wiſſe againſt you, that for this end, that we might be preſerved and reſtored, wee have diſcharged our duties to you, both of love, fidelity and aſſiſtance, and in what elſe yee could demand or deviſe in all your ſeverall needs, neceſſities and extremities, not thinking our lives, eſtates, nor any thing too precious to ſacrifice for you and the Kingdomes ſafety, and ſhall wee now be thus unfaithfully, undutiſfully and ungratfully rewarded? For ſhame, let never ſuch things be ſpoken far leſſe recorded to future generations.

Thus Sir, I have ſo farre emboldened my ſelfe with you (hoping you will let greivances be uttered, that if God ſee it good they may be redreſſed, and give looſers leave to ſpeake without offence) as I am forced to at this time, not only in the diſcharge of my duty to my ſelfe in particular, but to your ſelves and to our whole Country in generall for the preſent, and for our ſeverall posterities for the future, and the[16] Lord give you grace to take this timely advice, from ſo meane and unworthy an inſtrument.

One thing more (Sir) I shall be bold to crave at your hands, that you would be pleased to present my Appeale here inclosed, to your Honourable House; perchance the manner of it may beget a disaffection in you, or at least a suspition, of disfavour from the House: but howsoever, I beseech you, that you would make presentation thereof, and if any hazard and danger ensue, let it fall upon mee, for I have cast up mine accounts, I know the most that it can cost me, is but the dissolution of this fading mortality, which once must be dissolved; but after (blessed be God) commeth righteous judgement.

Thus (Sir) hoping my earnest and fervent desires after the universall freedoms and properties of this Nation in generall, and especially of the most godly and faithfull, in their consciences, persons and estates, will be a sufficient excuse with you, for this my tedious presumption upon your patience: I shal commit the premisses to your deliberate thoughts, and the issue thereof unto God; expecting and praying for his blessing upon all your faithfull and honest endeavours in the prosecution thereof. And rest;

From the most contemptuous Gaole of Newgate
(*the Lords benediction*) Septem. 25.
1646.

In Bonds for the just rights and freedoms of
the Commons of *England*, theirs and your
faithfull friend and servant,

Richard Overton.

**To the high and mighty States, the Knights
Citizens and Burgesses in Parliament Assembled;
(*Englands legall Sovereigne power*) The humble Appeale
and supplication of RICHARD OVERTON,
Prisoner in the most contemptible Goale
of New gate.↵**

Humbly sheweth;

THAT whereas your Petitioner under the pretence of a Criminall fact, being in a warlike manner brought before the House of Lords to be tried, and by them put to answer to Interogatories concerning himselfe, both which your Petitioner humbly conceiveth to be illegall, and contrary to the naturall rights, freedome and properties of the free Commoners of England (confirmed to thereby Magna Charta, the Petition of Right, and the Act for the abolishment of the Star-chamber) he therefore was emboldened to refuse subjection to the said House, both in the one and the other; expressing his resolution before them, that he would not infringe the private Rights and properties of himselfe, or of any one Commoner in particular, or the common Rights and properties of this Nation in generall: For which your Petitioner was by them adjudged contemptuous, & by an Order from the said House was therefore committed to the Goale of New-gate, where, from the 11. of August 1646, to this present he hath lyen, and there commanded to be kept till their Pleasures shall be further signified (as a copy of the said Order hereunto annexed doth declare) which may be perpetuall if they please, and may have their wils; for your Petitioner humbly conceiveth that thereby he is made a Prisoner to their Wils, not to the Law, except their Wils may be a Law.

Wherefore, your leige Petitioner doth make his humble appeale unto this most Sovereigne House (as to the highest Court of Judicatory in the Land, wherein all the appeales thereof are to centure, & beyond which none can legally be made) humbly craving (both in testimony of his acknowledgment of its legall regality, & of his due submission thereunto) that your Honours therein assembled, would take his cause (and in his, the cause of all the free Commoners of England, whom you represent, & for whom you sit) into your serious consideration and legall determination, that he may either by the mercy of the Law [18] be repossessed of his just liberty and freedome, and thereby the whole Commons of England of theirs, their unjustly (as he humbly conceiveth) usurped & invaded by the House of LORDS, with due reparations of all such damages so sustained, or else that he may undergoe what penalty shall in equity by the impartiall severity of the Law be adjudged against him by this Honourable House, in case by them he shall be legally found a transgressour herein.

*And Your Petitioner (as in duty bound)
shall ever pray, &c.*

Die Martis 11. Augusti. 1646.

It is this day Ordered by the Lords in Parliament assembled, that [] *Overton* brought before a Committee of this House, for printing scandalous things against this House, is hereby committed to the Prison of New-gate, for his high contempt offered to this House, and to the said Committee by his contemptuous words and gesture, and refusing to answer unto the Speaker: And that the said *Overton* shall be kept in safe custody by the Keeper of New-gate or his deputy, *untill the Pleasure of the House be further signified.*

To the Gentleman Usher attending this
House, or his Deputy, to be delivered to the
Keeper of New-gate or his Deputy.

*John Brown Cleric. Parl. Examinat. per Ra.
Brisco Clericu de New-gate.*

Postscript. ↩

SIR,

YOur unseasonable absence from the House, chiefly while Mistres *Lilborns* Petition should have been read (you having a REPORT to make in her husbands behalfe, whereby the hearing thereof was defer'd and retarded) did possesse my mind with strong jealousies and feares of you, that you either preferred your own pleasure or private interest before the execution of justice and judgement, or else withdrew your selfe, on set purpose (through the strong instigation of the Lords) to evade the discharge of your trust to God and to your Country; but at your returne understanding, that you honestly & faithfully did redeem your absent time, I was dispossessed of those feares and jealousies: So that for my over-hasty censorious esteem of you, I humbly crave your excuse, hoping you will rather impute it to the fervency of my faithfull zeale to the common good, then to any malignant disposition or disaffection in me towards you: Yet (Sir) in this my suspicion I was not single, for it was even become a generall surmise.

Wherefore (Sir) for the awarding your innocency for the future, from the tincture of such unjust and calumnious suspicions, be you diligent and faithfull, instant in season and out of season, omit no opportunity, (though with never so much hazard to your person, estate or family) to discharge the great trust (in you reposed with the rest of your fellow members) for the redemption of your *native Country* from the *Arbitrary Domination and usurpations, either of the House of LORDS, or any other.*

And since by the *divine providence of God*, it hath pleased that Honourable Assembly whereof you are a Member, to select and sever you out from amongst themselves, to be of *that Committee* which they have *Ordained to receive the Commoners complaints against the House of LORDS*, granted upon the foresaid most *honourable Petition*: Be you therefore impartiall, and just, active and resolute care neither for favours nor smiles, and be no respector of persons, let not the *greatest Peers* in the Land, be more respected with you, then somany *old Bellowes-menders, Broom men, Coblers, Tinkers or Chimney-sweepers*, [20] who are all equally *Free borne*; with the hudget men, and *loftiest Anachims* in the Land.

Doe nothing for favour of the one, or feare of the other; and have a care of the *temporary Sagacity* of the *new Sect of OPPORTUNITY POLITITIANS*, whereof we have got at least two or three too many; for delays & demurres of Justice are of more deceitfull & dangerous consequence, then the flat & open deniall of its execution, for the one keeps in suspence,

makes negligent & remisse, the other provokes to speedy defence, makes active and resolute: Therefore be wise, quick, stout and impartiall: neither spare, favour, or connive at friend or foe, high or low, rich or poore, Lord or Commoner.

And let even the saying of the Lord, with which I will close this present discourse, close with your heart, and be with you to the death. *Leviticus*, 19. 15.

Yee shall doe no unrighteousnesse in judgement; thou shalt not respect the person of the poore, nor honour the person of the mighty, but in righteousness shalt thou judge thy neighbour.

October 12. 1646.

FINIS.