

THE
C A S E

OF

Protestant Dissenters

IN

C A R O L I N A,

S H E W I N G

How a LAW to prevent OCCASIONAL
CONFORMITY There, has ended in the Total
Subversion of the Constitution in CHURCH and
STATE.

Recommended to the serious Consideration of all that are true
Friends to our present Establishment.

By John Archdale.

*Mutato nomine, de te
Fabula narratur.*

L O N D O N,

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this Act, such Person or Persons so sued, may plead the general Issue of Not Guilty, and upon any Issue joined, give this Act and the special Matter in Evidence; and if the Plaintiffs or Prosecutors shall become Nonsuit, or suffer Discontinuance, or if a Verdict pass against him, the Defendants shall recover their Treble Costs, for which they shall have the like remedy, as in any Case where Costs by Law are given to the Defendants.

Whereas the Honourable Sir Nathaniel Johnson Knight, hath upon all Occasions shown his great Zeal and Affection to the Church of England, as it is established by Law, as a Mark of our Gratitude and Respects to him, *Be given by this it further enabled* by the Authority aforesaid, that notwithstanding the Powers in this Act given to the Commissioners, or the major part of them, to turn out any Minister as aforesaid expressed, that in case the said Commissioners, or the major part of them, that shall meet upon publick Summons, as above directed, shall, in pursuance of such Power, turn out or remove such Minister; that in case the said Sir Nathaniel Johnson, shall at any time, within six Days after notice of such Order of the said Commissioners, or the major part thereof, signify his Dissent by a Writing or Instrument under his Hand and Seal, that then such Order of the said Commissioners for that time to be of no Force or Effect, and that this Power and Trust reposed in the said Sir Nathaniel Johnson, shall continue during his being Governor of this Province, and no longer.

Read three times and
ratified in open
Assembly, Nov. 4.
1704.

N. Johnson,
Tho. Broughton,
Jam. Moore,
Nicholas Trott,
Robert Gibbes,
Henry Noble.

(Numb. 11.)

THIS is to certify whom it may concern, That Novemb. the 6th and 7th 1704. we, whose Names are hereunto subscribed, did peruse, and carefully examine a Sermon upon the fifth Commandment, preached at Charles-Town-Church in Carolina, by the Reverend Edward Marston, A.M. Minister of the Church of England in Charles-Town, October the 15th 1704. before the Honourable Nicholas Trott Esq; Chief Justice; Colonel Logan, Major Paris, James Securier alias Smith, Captain Gappel, Assembly Men, and many others, as well of the Communion of the Church

of England, as also some learned and judicious Dissenters: we Mr. Scieuen and Mr. Stebo, Ministers of the Gospel, do attest under our Hands, that there is none of this Assertion in the aforesaid Sermon, with which the Lower House of Assembly have charged him to use in the said Sermon, viz. That he was no ways obliged to the Government for the plentiful Revenue they had allowed him, and that he did not think himself obliged to give an Account of his Actions to the Government.

The

The Assembly have also charged him to say, " That a Maintenance was due to him and other Ministers of Congregations by Divine Right: We do attest under our Hands, that 'tis Orthodox Doctrine, and that he hath well proved it from Holy Scripture.

The Assembly have farther charg'd him to assert in the aforesaid Sermon; " That 'tho the Government gave him a Maintenance, yet he was their Superior, his Authority being from Christ; or Words to that effect: We do attest that these are the Words in the Sermon, we suppose to be aim'd at, in the Assembly's Charge against Mr. *Edward Marston*, viz. *We (Ministers of the Gospel) do not arrogate too much to our selves, nor take too much upon us, when we affirm, That we are superior to the People, and have an Authority over them in Things Spiritual, and ap-*

pertaining unto God. We do attest that these fore-recited Words are in the *Exposition of the fifth Commandment*, written by the Right Reverend Father in God, *Ezekiel Hopkins*, late Lord Bishop of *Londonderry* (whose Works were licens'd by Dr. *Lancaster*, in the Year 1692. at that time the Bishop of *London's* Chaplain, now or lately Minister of *St. Martins, London*) They are in the 313th Page of his Works.

We do farther attest, that he doth not in the aforesaid Sermon compare the Assembly to *Corah* and his rebellious Companions, as the Assembly have charg'd him to do.

William Screuen Minister of a Congregation in *Charles-Town*.

Archibald Stobo Minister of a Congregation in *Charles-Town*.

Charles-Town, November the 9th, 1704.

I *Edward Marston*, Minister of the Church of *England* belonging to *Charles-Town*, do make Oath, that my Sermon upon the fifth Commandment, which was perus'd and carefully examin'd by Mr. *William Screuen* and Mr. *Archibald Stobo* on *November* the sixth and seventh, 1704. was the very same Sermon *verbatim* I preach'd at *Charles-Town-Church*, *O^rob.* the 15th, 1704. upon which the Lower House of Assembly have grounded the most material Part of their Charge against me, and which I'm most concern'd to clear my self from asserting those things

in it, which they have accus'd me to do.

Sworn before me,

Henry Noble.

Memorandum. That the aforesaid Oath was administer'd to the Reverend Mr. *Edward Marston*, A. M. Minister of the Church of *England* in *Charles-Town*, in the Presence of us whose Names are hereunto subscrib'd.

Richard Cock, P. Pearce.